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CHIEF JUSTICE MORRISON REMICK WAITE

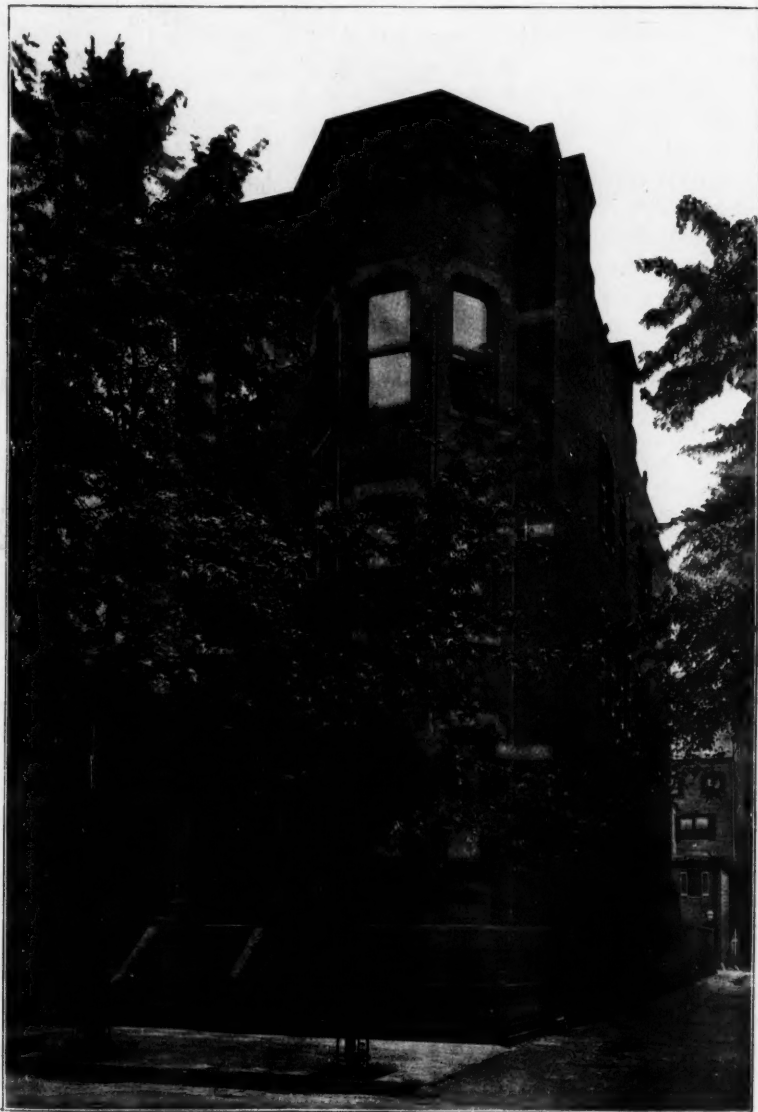
HIS HOME IN WASHINGTON

THE excellent full-length portrait of the late Chief Justice Morrison R. Waite, which forms our frontispiece, will be studied with peculiar interest at this time, as the engraving is from the very last photograph ever made of the great jurist, less than two weeks prior to his sudden death on the morning of March 23, 1888. He had been persuaded, somewhat against his inclinations, to visit a photographer by an artist who was engaged on an important painting and who accompanied him to the gallery; and the picture thus secured is considered the best ever taken of him in his judicial robes. It reflects with singular force the genius, character and dignity of the man who for fourteen years was the most conspicuous figure in the jurisprudence of this nation, and perhaps not less conspicuous in respect to the jurisprudence of the whole world.

In personal appearance Morrison R. Waite was the typical chief justice of a vast nation, and his features will long live in the public memory. His well-poised, classically shaped head was massive in its proportions, and thickly covered with hair handsomely flecked with gray. His eyes were dark and piercing with a kindly expression, his mouth large, his upper lip cleanly shaven, and heavy well-trimmed whiskers of the same hue as his hair draped a chin indicative of firmness and generosity. He was of medium height, with broad shoulders compactly built; standing erect, as straight as an arrow, and was very fond of walking—his step being light as that of a woman, and all his movements quick and decisive; his whole bearing was one that commanded instant respect wherever he appeared. His physical health was perfect, and he had the varied knowledge and the intellectual tastes and aptitudes as well as the perfect manners which graced his position.

He was fifty-seven years of age when he was elevated to the important office through which he became the honored and beloved custodian of the liberties of sixty millions of people—and such was his character that he

was chosen without a dissenting vote. This last clause reads like fiction, but it is none the less truth. The circumstances attending so phenomenal an event in American history are invested with unusual charms. Mr. Waite was a lawyer, sensible and studious, with an immense and lucrative practice, and he had been for a series of years the acknowledged leader of the Ohio bar. In the winter of 1874 he was the choice of both political parties as delegate to the Ohio constitutional convention, at Cincinnati, and was elected president of the convention. His nomination on the 19th of January, 1874, to the chief justiceship took the country by surprise. The office had been wholly unsought. When the news reached the Ohio convention, then in session, with Mr. Waite presiding, there was an uproar of applause. One gentleman moved for the appointment of a committee of five to draw up congratulatory resolutions. "The chair rules the motion out of order," said Mr. Waite. During the remainder of the day it was impossible to quell the enthusiasm; but the calm, unruffled demeanor of the presiding officer was never once disturbed. As weeks rolled on it became apparent that neither the inquisitive public nor the newspaper press could find any flaw in his record. In the Senate it was said that "not a breath of suspicion or reproach had ever been cast upon him," and one senator declared that he "did not believe a man existed whose character was more spotless or whose sense of honor and justice was more acute." The nomination was discussed for about an hour in the Senate, during which speeches were made by Mr. Sumner, Mr. Sherman, Mr. Edmunds, and Mr. Thurman. The vote was taken by yeas and nays, and the result was never equaled in its favorable character within the memory of the oldest senator. The nominee received every vote cast. Sixty-three senators voted for his confirmation and not one against him. The new chief justice took the oath of office on the 4th of March, 1874, and immediately entered upon his work. Without a day's experience on the bench he came to preside over the highest tribunal on earth, and met all its demands acceptably. He represented, says one eminent lawyer, the dignity and the public decorum that should exist in such courts, and at the same time exercised every kind courtesy and every generous discretion toward the bar and his associates. He presided, says Melville W. Fuller, with dignity, but with winning courtesy, and though he pushed the business in hand with rapidity, he did this with a grace that eluded all offense. He exhibited no lack of will power whenever the exercise of it was necessary, but unassuming gentleness and the highest manhood without pretense, were uniformly in the ascendant. He was a public surprise in his promotion, and a public benefactor in the discharge



THE HOME OF CHIEF JUSTICE WAITE, IN WASHINGTON.

of his duties. He came to the front at a difficult period in the history of the court, when questions were before it of the widest importance to human rights, quite as knotty and profound and much greater in variety than those which worried his illustrious predecessors. He was no respecter of persons and had no favorites among lawyers. His just conception of our novel and complex theory of government added immensely to its strength in times of great excitement and peril. Few of us appreciate as it deserves the enduring work the Supreme Court performed in the reconstruction period. It aimed to eliminate old issues by settling them. It was the court that saved the country, we are told with emphasis, and not the army or the President. It should be remembered in this connection that there is no question of law, equity, admiralty, or patents that may not come for its final adjudication to this tribunal. In addition to the vast field of constitutional law which is unknown elsewhere, the Supreme Court of the United States has to interpret and enforce the provisions of the thirty-eight state constitutions when they come in question in cases between citizens of different states, and has to interpret and enforce the provisions of the Constitution of the United States, and to keep the legislative powers of thirty-eight states and of the nation within their appointed limits. Legislators may prepare and enact laws, Presidents and their subordinates may execute them, but the judiciary must always interpret and sometimes annul the crystallized wisdom of the nation's assembly, and guide and even direct the hand of the Executive in his efforts to administer.

The first home of Chief Justice Waite at the capital was in H Street, next door to the square stone mansion of Hon. George Bancroft, the historian. A pleasant intimacy sprang up between the two families, which was never interrupted, although the chief justice removed his residence within a year or two to Rhode Island Avenue, and subsequently purchased and took up his abode in the house of the sketch, in I Street, where he spent the remainder of his life. This was a veritable home, roomy, restful, with an air of substantial personal comfort, its appointments so tastefully blended that no one feature fixed itself upon the mind; a home in the highest degree interesting from the fact that it seems in its refined simplicity to reflect the beautiful character of its distinguished occupant. It is a plain brick edifice, vine clad on its two sides, with bay windows in front, commanding a long stretch of street views, shaded by leafy trees. The library and study-room of the chief justice occupies the second floor in the rear. The entire walls to the ceiling are lined with books. Nearly all that genius has created or industry achieved in the way of letters and



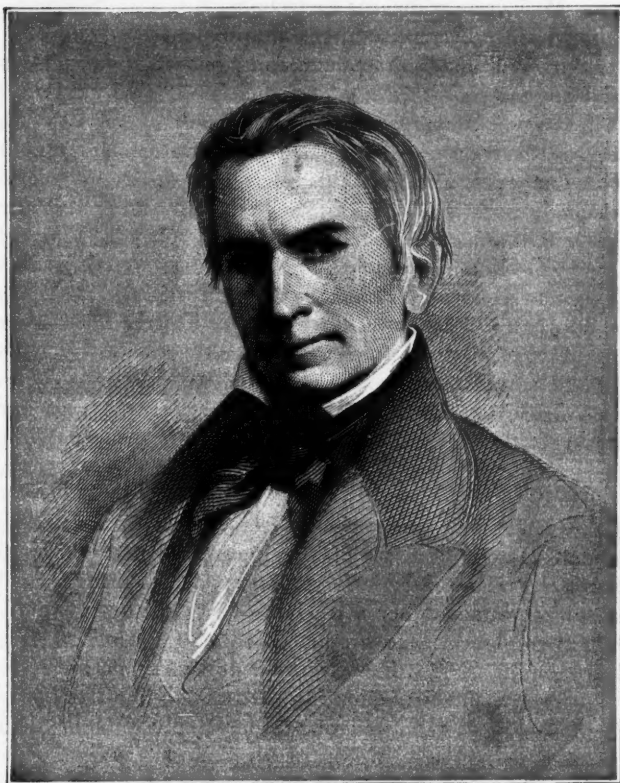
THE LIBRARY OF CHIEF JUSTICE WAITE.

legal lore has found its way to these shelves. The large library table strewn with papers in the centre of the room, remains just as he left it. The empty chair, as shown in the sketch, tells the touching story of a nation's loss. The little case of books to the left of the table belong to the famous Bell telephone suit, to which the chief justice gave unremitting and severest study for months, improving the entire vacation of the court in the work. It is thought by many that application to this case was the stroke of overwork that caused his death. The last public act of his life, as is well known, was to render his important decision on the validity of the Bell telephone patents.

It was the custom of the chief justice to rise at a very early hour every morning, and, with a simple cup of coffee served in his study, devote at least two or three hours to his work before the family breakfast at nine o'clock. It was thus he secured the quiet needful for continuity of mental effort. He was socially inclined, and greeted his friends with a heartiness and cordiality that was captivating. He never allowed social affairs, how-

ever, either at home or elsewhere, to interfere with his unremitting labors; but he possessed the rare faculty of being the cheery, hospitable host, or the delightful guest, without awakening the slightest suspicion in the minds of those about him that he was preoccupied. If he disappeared after a few moments' conversation, the pleasant impression he left behind him forbade the thought that he had returned to his study-table and plunged into the depths of research of the most important kind. It will ever be remembered to the honor of Chief Justice Waite that he allowed no whisperings of ambition to divert his attention from the duties of his exalted position. In 1876, he made it clear to the country, in the most emphatic language, that he would not be regarded as a candidate for President, which was being urged upon him; and so far as in his power he took the Supreme Court out of politics.

The question has often been asked, "By what successive steps did an American citizen acquire such learning and experience in affairs, such symmetry and balance of intellectual and moral qualities, as rendered his fitness for the high trust so unquestionable?" The answer may be found between the lines, while we rapidly survey the simple history of the man. Morrison R. Waite was born November 29, 1816, the year that James Monroe was elected to the Presidency. His father was the Hon. Henry Matson Waite, judge and then chief justice in the courts of Connecticut for twenty-three or more years, and his mother was Maria Selden, granddaughter of Colonel Samuel Selden of Revolutionary memory—a woman of the first order of intellect. The family home was in the town of Lyme, at the mouth of the Connecticut River. The future chief justice was the first-born of his parents, the eldest of eight sons and daughters. He was naturally very near to his father's heart, sharing in all his thoughts and pursuits. Chief Justice Henry M. Waite was a Christian gentleman highly cultivated by study, refined and social in his tastes, a man of stately presence, tall, and yet not tall, with a fair, serious face, keen blue eyes and light hair. Through his entire career as lawyer, legislator, judge, and chief justice, he commanded the perfect confidence of the community. A well-known jurist says of him, "He contributed his full share to the character of a court whose decisions are quoted and opinions respected in all the courts of the United States, and in the highest courts of England." His means were ample, but he preferred to use them for educational and religious purposes rather than in a pretentious mode of living. His eldest boy was bright, clever, and energetic, and in the companionship of such a father, and in the atmosphere of a town famous for its lawyers and statesmen, sufficiently near the metropolis to partake of its literary culture and



Yours truly

H. M. Waite

CHIEF JUSTICE HENRY MATSON WAITE, OF CONNECTICUT.

many-sided opportunities, and far enough distant to escape its dissipating wastes, he grew in stature, mentally and physically, and well prepared at the age of seventeen, entered Yale College, where he stood very high as a scholar, and from which he graduated with honor in 1837—in the class

with William M. Evarts, Edwards Pierpont, Benjamin Silliman, Jr., and others who have since become eminent and influential.

The name of Waite is both ancient and honorable, dating back many centuries. The coat of arms used by the family was granted in 1512. Thomas Wayte was a member of Parliament, and one of the judges who signed the death-warrant of Charles I. Less than thirty years afterward, in 1677, his namesake, Thomas Waite, was born in Sudbury, Massachusetts, although it does not appear that the family came to this country until after the Restoration. When quite young Thomas Waite removed to Lyme, where he married the granddaughter of Matthew and Annah Wolcott Griswold, thus connecting himself with the most influential families in the province. His son Richard was the father of Remick Waite, and the grandfather of Chief Justice Henry Matson Waite. Richard was a leading man in the county and a justice of the peace, which was a vast honor in those days. He and his wife were severely religious, never allowed any cooking or sweeping in their house on the Sabbath, eating their dinners cold, and always entered church at the precise and proper moment. Their son Remick also had the law in his blood, and served as justice of the peace with great dignity from youth to old age. His wife was Susannah Matson, a sister of the mother of the famous Governor Buckingham, and a lady of superior talents and great worth and strength of character. She named her son Henry Matson, and watched over his education with vigilance. He graduated from Yale College in 1809, and studied law with Judge Matthew Griswold of Lyme and his accomplished brother, Governor Roger Griswold. In 1810 he taught a small select school in New Rochelle, New York, and one of his pupils was William Heathcote De Lancey, afterward Bishop of New York. Whether inheriting these tastes or otherwise, Morrison R. Waite was firmly set upon the profession of the law from earliest boyhood, from which nothing could lure him.

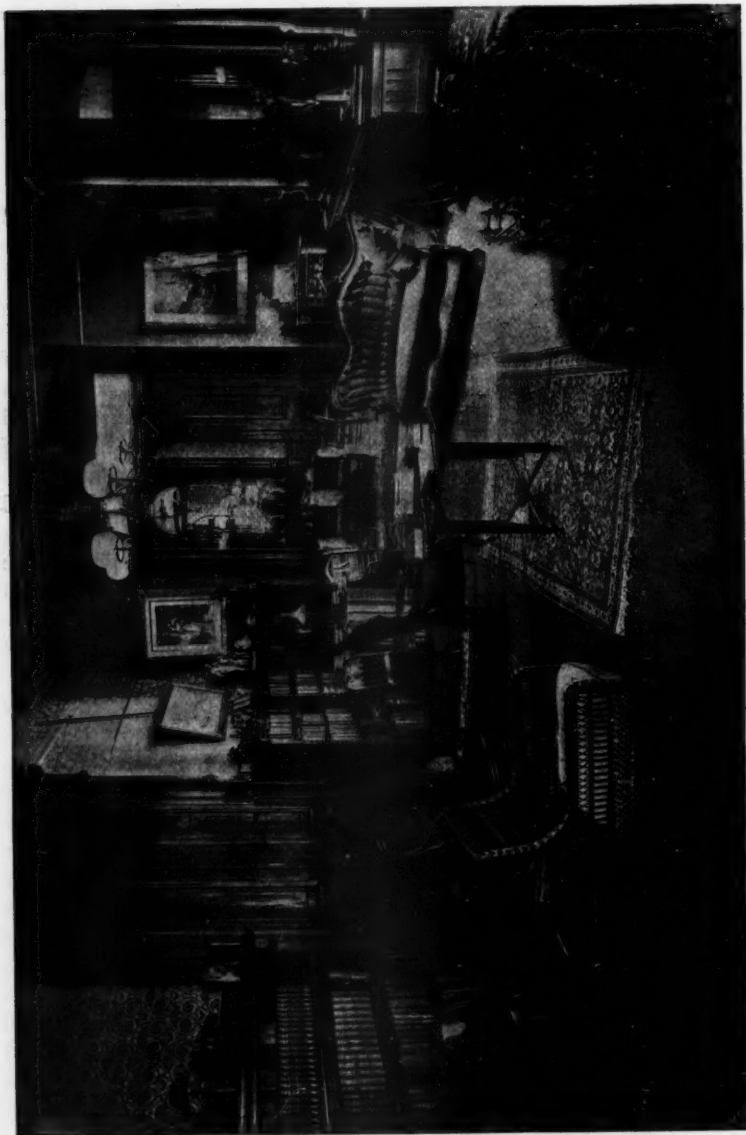
During his life at Yale, he was distinguished for his evenly-developed and well-balanced mind; and he was eminently genial, courteous and unobtrusive. He formally commenced his law studies in his father's office at Lyme immediately after leaving college, but through his vigorous enthusiasm he had already secured familiarity with many of its varied branches. The following year he traveled extensively, and attracted by the signs of promise in the West, arranged to complete his legal education in the office of Hon. Samuel M. Young, then a prominent lawyer in Maumee City, Ohio. In 1839 he was admitted to the bar, and formed a partnership with Mr. Young that continued with marked success for nearly a quarter of a century, Mr. Waite residing a greater part of that period in

Toledo, and Mr. Young residing there also after 1855. The country was new, and litigations of every description flooded the courts. Mr. Waite soon proved himself capable of grasping all the minute details affecting in any way a legal question. His studious habits, his upright character, and his conciliatory manners contributed to his popularity and marked success.

Opposing counsel often said that his assertion on any question of law was accepted as unanswerable. He had no political aspirations, and meddled little with public concerns prior to his appointment as chief justice, although repeatedly urged to accept a nomination to Congress; and he more than once declined a seat upon the bench of the Supreme Court of Ohio. In 1849 he served with ability and credit in the Ohio legislature, but he much preferred the practice and duties of his profession.

The first position in which he attracted national attention was that of counsel to represent the United States before the tribunal of arbitration at Geneva in 1871-1872, his associates being Hon. Caleb Cushing and Hon. William M. Evarts. He took a laboring oar in the preparation of the case, and there and then displayed his wonderful capacity for affairs and his understanding of the principles of international questions. It fell to him to argue the liability of the English government for permitting Confederate steamers to take in supplies of coal in her ports during the late civil war, and the robust clearness and directness of his logic carried conviction on all the points he raised. On his return home after the satisfactory close of his labors in Geneva, his *alma mater* conferred on him the honorary degree of LL.D.

He was married in September, 1840, two months before reaching his twenty-fourth birthday. His bride was his second cousin, Amelia C. Warner, of Lyme, to whom he had long been ardently attached. She was in her nineteenth year, a beauty and a belle, a fair brunette with bewitching dark eyes and glossy black hair, of decided talents, with a careful education acquired in the best schools then extant. Immediately after the wedding the happy pair started for Ohio, where Mr. Waite was already established in business. Mrs. Waite from the first took a prominent place in social affairs in the western community. She was noted for her generosity, independence of character, good sense and refined taste. As time rolled on and Mr. Waite's law practice increased, their home in Toledo became a social centre, and they dispensed the most charming hospitalities. No family in the region had a wider circle of admiring friends; and as Mr. Waite grew by the force of his genius into the leadership of the Ohio bar, Mrs. Waite became as if by common consent the leader in fashion and society. Their children were bright and promising, and were



THE PARLOR-LIBRARY, WITH GLIMPSE OF DINING ROOM, IN CHIEF JUSTICE WAITE'S HOME IN WASHINGTON.

given every advantage of eastern as well as western schools. Three sons and one daughter brought music and sunshine into their dwelling. Their domestic life was not unlike a beautiful poem. They collected a library, choice books and periodicals were strewed lavishly through their house, and both Mr. and Mrs. Waite in their general reading literally kept abreast with the times.

In his frequent business visits to New York Mr. Waite was nearly always accompanied by his wife. When in Europe as counsel at the Geneva arbitration, both Mrs. Waite and his accomplished daughter, Miss Mary Waite, were with him. When he took up his permanent abode in Washington as chief justice of the nation, it was said, and truly said, that no lady in the land was more admirably qualified by breeding, culture and travel for distinguished prominence in the great social structure at the capital than Mrs. Waite, and she has ever since nobly and conscientiously performed, so far as her health would permit, all the exacting public and private social obligations attending her husband's official station—the duties which destiny thrust upon her. Miss Waite has ever through her vivacity and loveliness of character been a special favorite in Washington circles, and the executive ability with which she has systematized and achieved her varied society, charitable and other useful work has been a marvel to all by whom she is best known.

The home of the chief justice has been one of the most delightful in Washington. This was not owing to any superiority in architecture or appointments; it is, as our readers can see, a simple structure, furnished without pretense or elaboration, quietly and tastefully. But its attractive features are independent of costly designs and extraordinary treasures. The parlor-library or middle-parlor, between the parlor and dining-room, was the apartment where the family gathered every evening under the shade of the lamps, and chatted over the day's doings. A glimpse of this home room is given in the sketch made from the point where the parlor and the parlor-library meet, looking into the dining-room. Guests such as were intimate personal friends were received here informally, and animated scenes were of regular occurrence. The chief justice, affable, courteous, and cordial, would enter with spirit into every theme of conversation, with flashes now and then of irresistible humor, but retiring to his work in the library above, unless the visitor had in calling particularly asked for him by name. Senators, members of the cabinet, heroes in warfare by land and by sea, scientists, men of letters, and doctors of divinity and law, were among those who dropped in familiarly for an evening hour and enlivened the brilliant circle in this charmed homestead with wit and anecdote, nuggets

of wisdom and grave discussion. Mrs. Waite's formal weekly receptions were always largely attended, and her special entertainments brought together some of the most effective groupings of brilliant people the world affords. Mr. Foster, former minister to Russia, whose residence is alongside that of the chief justice, says: "The Waite mansion has been one of the most hospitable houses in Washington. No official of the government met the expectations of the social world more generously or with more becoming graciousness than the chief justice. Besides the many State dinners and receptions his home was never free from guests, and was usually crowded with them. He and his family never forgot the friends of their early years, many of whom are gathered in the capital, and some perhaps had seen more prosperous times. Scarcely a day passed that one or more of these was not an informal guest at his table, and certain visitors were regularly expected on fixed days at dinner. One of the noblest traits of the chief justice was the simplicity of his character and the modesty with which he bore the dignity of his high office. While his parlors were thronged with the famous people of the capital at his receptions, there were always found in the same circle many persons of merit occupying the lower ranks of society; and for these he had as warm and hearty a welcome as for the great and titled. He was the same plain and unassuming gentleman to all with whom he came in contact, and had for everyone, high or low, the same frank and cheerful greeting."

Of his faithfulness as a public servant, and the conscientious labor he bestowed on the preparation of his opinions, it was well known that he often hurried away from a State dinner to work late in his library. Mr. Foster says: "Many a winter morning I have looked out from my bedroom window to see him at his table working by the light of his student lamp, and yet he found time to respond to the call of all kinds of benevolent and charitable organizations. His money, his advice or his presence, were cheerfully lent to build up and strengthen almost every society of this character in Washington. "He was," continued Mr. Foster, "the most genial and kindly of neighbors, as tender-hearted as a woman, and with all the great cares of his high office crowding his mind to its utmost tension, he was punctiliously attentive to the amenities of family friendships. He had induced Mrs. Waite in the early part of March to take a trip to California, hoping the change would benefit her. After her departure he called at my house every day punctually on his way home from the sessions of the Supreme Court to inquire after the health of my daughter, who was dangerously ill when Mrs. Waite left. 'For,' said the chief justice, 'Mrs. Waite charged me that I must send her word

every day how your Edith was getting along.' And he always came personally to make the inquiry."

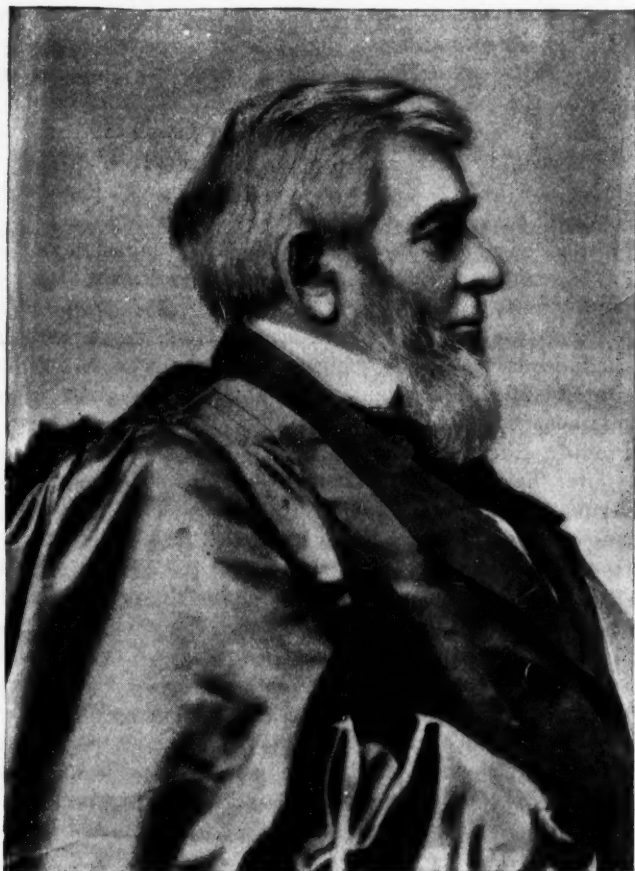
A fine thread of chivalry running through the whole character of Chief Justice Waite, like a bright color in the rainbow, seemed to brighten toward the end. His lover-like devotion to his wife was conspicuous in the unselfish manner with which he persuaded her to take the trip across the Continent with her invalid sister, to visit her uncle in Los Angeles. He received daily despatches from her on her journey, and spoke enthusiastically to his friends of the pleasure she would have in seeing California, and the benefit he hoped it would be to her health.

They expected to celebrate their golden wedding within the next two years, and the chief justice referred to it frequently, revealing to his intimate friends how much it was in his mind. When he became ill he was nervously anxious that no whisper of it should get abroad, lest the news reach his wife in California, and make her unhappy. This reason more than any other determined him, it is thought, to go to the Capitol on that last Monday of his life and attend the session of the court. "If I am not there," he said, "the news will be flashed through the country that I am ill, and it will alarm Mrs. Waite." But he was not able to read his opinion on the Bell telephone case, and asked Justice Blatchford to read it for him, and then immediately returned home.

"In his personal and private life," said Senator Edmunds, "he was one of the most gentle, cordial, and approachable men I ever met, and his kindness of heart was so great that in the midst of affairs and society here where he must have known so many instances of evil and impropriety, I do not remember ever to have heard him make a censorious or unkind remark to any person in the world, or to mention a circumstance, or employ a witticism against or at the expense of another."

Henry, the eldest son of the chief justice, died many years ago, leaving a widow and two interesting boys. These grandsons have been objects of pride and tender interest and exceedingly dear to the chief justice, who has watched over their growth, development, and education with critical care. They were sent to Yale, where the chief justice had been for many years an influential member of the corporation. The Phi Beta Phi Society of the Yale Law School has a Waite Chapter. The two other sons of the chief justice are married, with young families growing up about them; Christopher C. Waite resides in Cincinnati, and Edward T. Waite in Toledo, Ohio. Both the chief justice and Mrs. Waite were active members of the Protestant Episcopal church, of which no one was more regular in attendance than the great jurist.

The only profile portrait of Chief Justice Waite, which we present to our readers on another page, reveals in a remarkable degree that divine quality of good-will toward all men for which he will ever be justly honored. The artist who painted the recent portrait for the Ohio Society of New York says his sitter seemed to be continually studying on his cases, and would frequently excuse himself and go to his library and take down a law book and look up a reference. His industry was untiring. From the beginning to the end of his judicial career his life was one sacrifice of personal ease and pleasure. For fourteen years he was the hardest worked member of the Supreme Court. Every Monday there was a quantity of motions submitted to the court which the chief justice was expected to act upon alone, each requiring more or less looking up of authorities, sometimes involving as much labor as cases calling for more elaborate decisions. He was unwilling to ask his associates to assist him in this class of work, as it was his policy never to shirk any burden, however great, that properly belonged to him. Could he have foreseen in the beginning the number, the variety and the magnitude of the constitutional questions which were to come before the court for consideration and determination during his term of office, he might well have shrunk from the ordeal. The second great period of constitutional interpretation began with his first year on the bench. The post war amendments—thirteenth, fourteenth, and fifteenth—had at the time of his accession but very recently been adopted, and were coming up for judicial exposition. In some respects they were the most important articles in the Constitution, imposing upon the states limitations more radical and far-reaching than are imposed by all the other provisions of the instrument put together. A flood of cases has since arisen, where questions have been raised as to the powers of Congress, the rights of states, and the privileges of citizens. To declare the meaning and determine the scope of amendments that wrought a substantial change in our form of government, enlarging the central power and curtailing state sovereignty, has been the function of the Supreme Court under the chieftainship of Chief Justice Waite; and he met all these obligations, and bore his full share of the responsibilities devolving on this most august of judicial tribunals. One of the associate justices recently said: "His administrative ability was remarkable. None of his predecessors more steadily or more wisely superintended the court, or more carefully observed all that is necessary to its workings. He has written many of the most important opinions of the court—too many to be particularized." Another eminent jurist has said: "He was always on the alert as to the due order and course of business in



M. R. Waite

THE ONLY PROFILE PORTRAIT OF CHIEF JUSTICE WAITE.

[From a photograph taken from life in the early part of March, 1888.]

the court; he kept vigilant watch of the docket, acquainting himself in advance with the character of the causes about to be reached, and rigidly enforced the rules and precedents of the court in all matters of practice.

He presided with great dignity and with absolute fairness and courtesy, always ready to mitigate, never to aggravate, the harshness of the law, leaving nothing to be desired by his associates or by the Bar in his demeanor and bearing as the highest judicial officer in the land. Chief-Justice Waite was able to keep pace with the growth in wisdom, and with the wondrous growth in other directions, of the country. While Taney advanced over Marshall and Story, whom all men admired as the giants of their time, Waite has advanced over and beyond them all."

Few men in any great office in any country have commanded in so universal a degree the confidence of an entire people. Whether because of his grand, strong, broad cultured judicial mind, his profound learning and dexterity of intellect, or his conspicuous integrity, conscientious impartiality, and lovable personal qualities, it will ever be as has been said of him, that he filled his public career with honor—great honor—and with infinite benefit to his country.

The Produce Exchange of Toledo, in their resolutions of respect immediately after the great national bereavement, paid a high tribute to the public services of the lamented chief justice, adding: "But it is the immense circle of friends who knew him in private life, who are most deeply, tenderly touched, and those who knew him longest, loved him the most. Morrison R. Waite belonged to the people of this valley. For nearly forty years he went out and in amongst us. No citizen was ever more widely known or more sincerely esteemed for the purity, gentleness, and uprightness of his character, for the warm grasp of his hand, and the warmer sincere sympathies of his great heart. His history, well written, would be the history of northwest Ohio. Every young man, especially, is indebted to him for having so faithfully illustrated what has been and may again be accomplished by a well-rounded and well-ordered life."

Martha J Lamb

THE CONTINENTAL CONGRESS

On the 20th day of January, 1775, in the British House of Lords, the illustrious Lord Chatham delivered a very memorable speech. He was the fast friend and the outspoken defender of the struggling Colonists of America in their protracted controversy with the King of Great Britain and his constitutional advisers. He was no longer the great Prime Minister, who had dominated the counsels of the government with an almost despotic sway. He had descended from power, and had not, as he remarked in his speech, "the honor of access to His Majesty." Age also was creeping upon him with its stealthy tread, and a painful malady racked his once stalwart frame with almost unendurable agony.

But neither age nor infirmity could impair the vigor of his intellect, nor quench the bold, and at times, even the defiant spirit with which he uttered his convictions. He vindicated, in the fullest and clearest manner, the right of the Colonists to refuse to be taxed, in the absence of all representation in the national councils, without their consent. "The spirit," said he, "which now resists your taxation in America, is the same which formerly opposed loans, benevolences, and ship money in England; the same spirit which called all England on its feet, and by its bill of rights vindicated the English Constitution; the same spirit which established the great, fundamental, essential maxim of your liberties, that *no subject of England shall be taxed but by his own consent.*" On this great principle, and in this cause, the American Colonists, he adds, "are immovably allied; it is the alliance of God and nature, immutable, eternal, fixed as the firmament of Heaven."

The Continental Congress, of whose members, acts, and their consequences I propose to speak, was at this time in session in Philadelphia, and had barely initiated those plans and purposes which not long afterward found expression in the great charter of our rights and liberties, the immortal Declaration of Independence. Of this body of patriotic and illustrious men, Lord Chatham, in this speech from which I have quoted, made this memorable declaration. "When your lordships look at the papers transmitted to us from America; when you consider their decency, firmness and wisdom, you can not but respect their cause, and wish to make it your own. For myself I must declare and avow, that in all my

reading and observation—and it has been my favorite study, I have read Thucydides, and have studied and admired the master states of the world—that for solidity of reasoning, force of sagacity and wisdom of conclusion, under such a complication of difficult circumstances, no nation or body of men can stand in preference to the General Congress assembled at Philadelphia.”

This is high eulogy; and in the mouth of an Englishman, justly proud of the name and familiar as he was with her grand history and the great men it had given to the world, it is exalted praise. And yet, after a pretty diligent and faithful study of the characters, the acts and the conclusions of that body of men known to us as the Continental Congress, I hardly dare call it an exaggerated estimate. Many circumstances combined to make the assembling together of these men, and the successful outcome of their deliberations, quite remarkable. It was, in many respects, a propitious moment for such a gathering. The ominous outlook of affairs in the Old World, the upheavings that were beginning to shake the apparently well settled foundations of ancient abuses; above all the almost universal corruption that tainted and infected public and governmental life in England, and which generated and fostered the wrongs under which the American Colonists suffered, all conduced to bring about a unity of sentiment, resulting in a unity of action that contained within itself the promise and the potency of success.

It is difficult for us to conceive, or rather it would be difficult, had we not had the good fortune to have revealed to us, in recent days, something of the inner life of those times, how universally corruption, dishonor and base-born selfishness pervaded the counsels and the Court of England. Thackeray, in his lectures on the reigns of the Four Georges, who successively occupied the throne of Great Britain, let in upon us many gleams of light from those years that inflicted many undeserved stains upon the English name, and finally tore from the third George the brightest jewel in his crown. But a still more recent work, the *Life of Charles James Fox*, by Trevelyan, who almost rivals Macaulay in the purity and nervousness of his style, and the incisive power of his invective, has given us a more complete and life-like portrait of those days when patriotism was at a fearful discount, and purity an unknown equation. “Every man in Parliament,” in Walpole’s significant phrase, “had his price.” But not in Parliament alone was venality and greed the rule of public life. Nepotism was unblushing and universal. A single extract from this admirable book will illustrate this point as clearly as many pages of dry narrative.

"At a time when trade was on so small a scale that a Lancashire manufacturer considered himself well off on the income which his grandson now gives to his cashier, a Cabinet Minister, over and above the ample salary of his office, might reckon confidently upon securing for himself, and for all who belonged to him and who came after him, a permanent maintenance, not dependent upon the vicissitudes of party, which would be regarded as handsome, and even splendid, in these days of visible and all-pervading opulence. One nobleman had eight thousand a year in sinecures. Another, an auditor of the Exchequer, inside which he never looked, had eight thousand pounds in peace and twenty thousand in war, and still another bowed and whispered himself into four great employments, from which flowed, month by month, fourteen hundred guineas into the lap of his Parisian mistress."

A reversion to an office was reckoned upon as a good investment, sure to come to hand in due time, and as our author sharply and keenly puts it, "a paymaster of the works, or an auditor of the plantations, with plenty of money to buy good liquor, and plenty of time to drink it, did not live forever, and a next appointment to the civil service, in the last century, might be discounted as freely as a next presentation to a living in our own."

With the remarkable fact that the occupant of the throne, unlike some of his immediate predecessors, was pure and faithful in his domestic life, the morals of the Court were fearfully corrupt, and, in some respects (not, indeed, quite as open and shameless), resembled those of the infamous Charles the Second. The Earl of Sandwich, high in office and trusted by his sovereign with great responsibilities, may serve as a type of many more "who carried undisguised and unabashed libertinism to the verge of a tomb," which did not close upon him until he had spent nearly half a century in office.

The bearing which these things which I have faintly outlined have upon the condition of affairs in America is easily seen. To secure and maintain these princely resources, plunder of all sorts, and in all available places, was of course practiced. Ireland, unhappy, misgoverned Ireland, had been ravaged and plucked until but little was left for avarice to covet or greed to secure; and thus it was that attention was turned to America as to "fresh woods and pastures new," where an ample field was opened for these plunderers of a nation's wealth, to enhance their own ill-gotten gains. Trevelyan very distinctly leads us to the conclusion that it was England, governed and controlled as she was by sinecurists, pampered menials in office, and unblushing robbers that lost to Great Britain an empire in America, and with the following passage I close this page of a history full of instruction in regard to the condition of the mother country and the American colonies, at that special crisis that called the Continental Congress into being.

"When Britain had been drained dry, and there was nothing more to be squeezed from Ireland, ministers in an evil hour for themselves remembered that there were two millions of Englishmen in America, who had struggled through the difficulties and hardships which beset the pioneers of civilization, and who, now that their daily bread was assured to them, could afford the luxury of maintaining an army of sinecurists. The suggestion can not be said to have originated on the other side of the Atlantic. 'It was not,' said Junius, 'Virginia that wanted a governor, but a court favorite that wanted a salary.' Virginia, however, and her sister colonies, were not supposed to know what was best for their own interests, or, at any rate, for the interests of their masters; and plenty of gentlemen were soon drinking their claret and paying their debts out of the savings of the fishermen of New Hampshire and the farmers of New Jersey, and talking, with that perversion of sentiment which is the inevitable outgrowth of privilege, about the 'cruelty' of a Secretary of State who hinted that they would do well to show themselves occasionally among the people whose substance they devoured. And yet, in most cases, it was fortunate for America that her placemen had not enough public spirit to make them ashamed of being absentees. Such was the private character of many among her official staff, that their room was cheaply purchased by the money which they spent outside the country. The best things in the colonies generally fell to bankrupt members of parliament, who were as poor in political principle as in worldly goods; and the smaller posts were regarded as their special inheritance, by the raffish of the election committee room, and the bad bargains of the servants' hall."

Nothing need be added to enforce the vividness of this description except to recall, at this point, one of the counts in that indictment of the King of Great Britain, penned by Jefferson in the Declaration, and thus forcibly and truly expressed: "He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance." Against such exactions, enforced by such a tribe of needy adventurers and remorseless harpies, our fathers faithfully remonstrated, and, at length, most justly rebelled.

It would perhaps be a difficult matter to ascertain, as it would be unprofitable to inquire in whose brain originated the conception of the Continental Congress. Such inquiries usually end where the equally unprofitable and unsolved problem has always terminated, that is in entire uncertainty, whether the thunderous appeals of Patrick Henry at the south, or the lightning coruscations of James Otis at the north, did most to fire the national heart, and combine and consolidate the national sentiment.

As a matter of pretty universal acknowledgment, the two colonies that led in the actual and forcible movement toward resistance were Virginia and Massachusetts. When the first blood was shed in the conflict of arms on the soil of Lexington, Virginia responded to the call for aid and sympathy, by the clarion voice of Henry and the cordial co-opera-

tion of her leading men, and throughout all the subsequent years of struggling hope and despondency they seem never to have been separated either in harmony of sentiment or unity of action. It may, I think, be fairly claimed that the first suggestion of a Council of the Colonies for consultation in regard to the wrongs they suffered, and what remedies were appropriate to the case, was made in a letter from the patriotic merchants of New York, addressed to the General Court in Massachusetts, and asking that body to take the lead in a movement designed to bring the colonies together for mutual counsel and concerted action. As a matter of historical record, it is true that the first legislative resolution which suggested and recommended the assembling of, and actually appointed delegates to a General Council or Congress for mutual consultation, and combined action by the colonists, passed the legislature of Massachusetts on the 17th of June, 1774, the very day which just one year thereafter, and ever since has been made memorable by the battle of Bunker Hill. This is the first resolution passed by any of the colonial legislative bodies, recommending such a convocation to be held on the 1st day of September, thereafter, at the city of Philadelphia, or such other place as should be deemed most suitable, and appointing delegates to represent that colony in the proposed Congress, among whom appeared the subsequently greatly distinguished names of John and Samuel Adams.

The other colonies followed in rapid succession, until on the 2d day of August, 1774, by a resolution passed by the Assembly of South Carolina, eleven colonies had taken the necessary action and appointed delegates to meet, as had been recommended by Massachusetts, in Philadelphia. The delegates from these eleven colonies assembled at Carpenter's Hall, in the city of Philadelphia, on the 5th day of September, 1774. The delegates from North Carolina appeared on the 14th day of that month, while those from Georgia were not appointed until July of the following year, and soon thereafter appeared, and from that time the representatives of the thirteen colonies continued, by changes and renewals, until its final dissolution.

At the first roll call on the 5th of September, 1774, forty-three delegates answered to their names. Some of them had already become conspicuous for the part they had taken in the controversies with the mother country and the provincial authorities, and some afterward obtained immortal renown. This is not the place, nor will the necessary limitations of this paper permit an enumeration of these men, nor allow me to rehearse their varied and acknowledged claims to distinction. It must suffice, now, to say that Massachusetts, besides the Adamses already men-

tioned, was represented also by the not obscure names of Thomas Cushing and Robert Treat Paine. From Connecticut came the sturdy patriot, Roger Sherman. New York presented, among others, the illustrious name of John Jay and Gen. William Floyd, a gallant soldier as well as an experienced civilian, and whose name and fame is cherished as one to which our own county of Oneida is fairly entitled. Delaware appeared in the person of Cæsar Rodney, South Carolina in those of Henry Middleton and Edward Rutledge, while Virginia indicated her power and pre-eminence in what were then, and ever will be, the distinguished names of George Washington, Peyton Randolph, Patrick Henry, and Edmund Pendleton. Many men still more eminent afterward appeared as members of the Congress. The first act was the election of a president, and the choice fell unanimously upon Peyton Randolph. His was a distinguished Virginia name, and of it he was a worthy representative. He held the position until declining health, followed by his death in May, 1775, compelled his resignation. But for this, his name, instead of the bold signature of John Hancock, would have headed the roll of patriotic men that in the following year signed the immortal Declaration of Independence. This election and that of a secretary, with the presentation of credentials, terminated the meeting of the first day, and the second was devoted to the preparation and passage of some needful rules of order, and a request that on the following day, the 7th of September, when the serious work of Congress was to begin, the session be opened with prayer by the Rev. Mr. Duche.

And here, prefacing it with the remark that I heartily dislike the whole tribe of iconoclasts, from Niebuhr down, who seem to take a grim delight in dissipating our faith in all the innocent and cherished traditions of our childhood and manhood as well, from the apple of William Tell to the hatchet of George Washington, the truth of history and regard for the pious memory of our fathers, seems to require me to correct a popular superstition which has obtained great currency, and secured large credence. The tradition tells us that no prayer had ever been heard in Congress, until after many months of anxious debate, when no conclusion having been reached, Dr. Franklin suggested that they should look for Divine guidance, and proposed that prayer should be offered by the reverend man already named. Unfortunately for the truth of this story, Dr. Franklin, when the Congress assembled, was in England, and did not appear as a delegate until the month of May, 1775. And the record, both of the request and of the prayer offered on the morning of the 7th of September, 1774, appear upon the Journal of the Congress, together with the resolution at once offered and passed, that the thanks of Congress be presented to Rev. Mr.

Duche, "for the excellent prayer which he composed and delivered on that occasion."

It is meet that this record be reproduced, that we may be reminded of the piety and devotion of our fathers. It can be truthfully said of them that they were a race of earnest and God-fearing men, who believed profoundly that there was a Supreme "Divinity that shaped our ends," an Almighty Sovereign that ruled not only in the armies of Heaven but among the inhabitants of the earth, to whom devout thanksgivings were to be rendered when success crowned our arms, and before whom the people were to humble themselves when disaster came or impended. The Journals of the Congress record not less than ten occasions during their deliberations, when days of fasting alternating with days of thanksgiving were ordered by the Congress. The last occasion for the latter was when, on the 24th of October, 1781, the glorious news came of the surrender of Cornwallis, when, as the Journal tells us, the whole Congress went in procession to the Dutch Lutheran Church "to return thanks to Almighty God for crowning the allied armies of the United States and France with success, by the surrender of the whole British army under the command of the Earl Cornwallis." And on the following day they issued a proclamation setting apart the 15th day of December, thereafter, to be observed by all the people as a day of thanksgiving and prayer for this memorable and crowning victory. Our revolutionary fathers did not fail to recognize and adore the "mighty hand and the outstretched arm," that was ever over and around them. May the day never come in all our future history when the sons shall forget their devout gratitude, or fail to imitate their heroic faith.

I do not propose to follow the proceedings of the Congress in its daily or even yearly details. The Journal is in itself but a naked narrative of the resolutions offered and passed, and a record in full of the public documents prepared for and adopted by the Congress. I can only mention, as especially memorable, among the earliest proceedings, the two addresses, one to the people and the other to the King of Great Britain. The first is well known to have been the production of the illustrious New Yorker, John Jay. There are few brighter or purer names than his connected with our colonial or national history. The family of Jay came from France, and was of Huguenot origin, and better blood than this never perhaps has coursed through mortal veins. And that blood still remains with us in living representatives, with its honor untarnished and its purity unstained. This address was one of remarkable power and shadowed forth some of these grievances which subsequently were so powerfully presented in the Declaration. These were among the documents that called forth the admir-

ation of Lord Chatham, but their weighty and ominous words fell upon ears unwilling to listen, and impatient of disturbance in their schemes of outrage and plunder, and so outrage and plunder went on to their legitimate end, resistance, war and successful revolution.

The time had now fully arrived when it was necessary that the army, which had been hastily gathered, should have a systematic organization, and, over and above all, a competent leader, and to this the attention of Congress was anxiously and even painfully directed. Local jealousies and rivalries had to some extent already been developed, and it was needful, above all things, that the choice should fall upon one who could command the confidence of the country, as well as of the army. It so happened that the senior major-general, then in the service, was Artemus Ward, of Massachusetts. He had attained some position, and stood fairly as a patriot and a soldier, and if priority of rank was to be deemed controlling, he had a well-founded claim to consideration. A day was assigned by Congress for action on this matter, and on the 15th of June, 1775, they proceeded to execute the order. The record in the Journal is simply this: "The Congress proceeded to the choice of a general, by ballot, and George Washington, Esq., was unanimously elected." Only this and nothing more is recorded. But much more than this, we may be well assured, preceded and accompanied so notable an event.

It is greatly to be regretted that we possess no authentic report of the debates of this assembly of remarkable and memorable men. They would be much better and more profitable reading than "Congressional Records," that now make their annual appearance in voluminous quartos, and occupy, if they do not adorn our shelves. But in those days there were no stenographers, no reporters, nor any of the tribe of interviewers that are now perpetually dogging the footsteps and extracting the secrets of our great men. What we know outside of the record is to be gathered from contemporary correspondence, and the private memoranda of the men of that day, and well-authenticated tradition. From some, or all of these sources, I am aware that it is claimed that the motion which preceded the action of Congress was made by a delegate from the state of Maryland. By other authorities, it is asserted that the motion was made by John Adams, of Massachusetts. But whether or not he took the initiative in this matter, it is certain from descriptions given by men who were present and heard the debate, that if he did not move, he promptly seconded the motion, and supported it by what was the leading and controlling speech of the occasion. We can imagine the interest with which he was regarded in rising to address the Congress, and the eager curiosity with which the

members hung upon his words. It might well have been supposed, that as a Massachusetts man, he would naturally have been inclined to name their own senior major-general as the man for the position. He proceeded, in well-set and carefully considered words, to set forth what he conceived to be the qualifications of the man to whom was to be confided so great and momentous a trust, and ended by saying, that in his opinion, all these qualifications were fully met in the person of George Washington, of Virginia, whom he cordially supported as commander-in-chief of the American armies. What a happy surprise, and what a perfect solution of the great problem, this must have seemed to many anxious hearts, and we can almost imagine that even that grave and solemn assembly burst, involuntarily, into a shout of glad acclaim, when the name of Washington was pronounced.

It was, beyond all question, a wise and happy choice. Washington was the man for the hour, as clearly raised up—by that Providence which equally heeds the falling sparrow and the overthrow of an empire—for the exigent moment that called for him, as Lincoln was for the next most momentous and trying crisis in our history. The claim of Washington to be placed high up on the roll of the great men of the world has been the subject of much discussion, and his precise position may not even yet be clearly defined. Some things may well be received as established beyond controversy. That he was a prudent, sagacious, and with the means he had at command, a skillful general, cannot fairly be denied; that he was, in counsel, wise, self-contained and conservative, and in administration pure, just and fearless, will assuredly be conceded. To talk of him as a soldier, compared with Napoleon, is one of those questions that school-boys may debate, but grown men will not entertain. When we speak of great men, purely in the light of intellect and achievement, we are obliged to acknowledge, that in force of towering intellect, mastery of men, and extent and splendor of accomplishment, Napoleon was "the foremost man of all this world." But, on the other hand, we are equally compelled to the admission that with all these claims to supremacy, Napoleon had striking weaknesses developed in those unguarded hours when selfishness, unrestrained passion and unbridled ambition, unchecked by any moral restraints or influences, took full possession and control of his baser nature. Washington had no such weaknesses, and if there was the element of passion in his composition, he held it under wise and dignified control, and was (antagonizing the aphorism of Napoleon) as much a hero to his valet as he was when standing in the full blaze of the public eye.

As a general summing up of the character of Washington, we may well

accept the testimony of Daniel Webster as a competent and trustworthy witness. I quote his own well-considered words:

"The character of Washington is a fixed star in the firmament of great names, shining without twinkling or obscurity, with clear, steady and beneficent light. If we think of our independence, we think of him whose efforts were so prominent in achieving it. If we think of the Constitution which is over us, we think of him who did so much to establish it, and whose administration of its powers is acknowledged to be a model for his successors. If we think of glory in the field, of wisdom in the Cabinet, of the purest patriotism, of the highest integrity, of religious feeling, without intolerance or bigotry, the august figure of Washington presents itself as the living personation of each and all of these high qualities."

If we supplement this testimony with that of Lord Erskine, who deliberately declared that the character of Washington was the only one in all history that, in its contemplation, "filled him with awful reverence," we may safely conclude with Webster that the name and character of Washington are indelibly written "in the clear upper sky," and that his, at least, is securely and forever among

"The few, the immortal names
That were not born to die."

Washington, upon his appointment, immediately vacated his seat in the Congress, and proceeded to the performance of his great and responsible trust. But on the 21st of June, 1775, there appeared in Congress another delegate from Virginia, who has exerted an influence and left an impression upon our national history and character second only perhaps to that of Washington. That man was Thomas Jefferson. He had already made his mark as a public man of great promise in his native state, and was now destined to act upon a larger theatre, and become associated with men and events that led directly in the pathway to independence, confederation, and ultimately to the crowning and glorious result of union and nationality, and with all these the name and fame of Jefferson are inseparably connected.

The time had now arrived when the question of independence of and separation from the mother country could no longer be deferred. The history of the rise, progress, and consummation of this decisive movement is somewhat familiar, and needs not to be dwelt upon minutely. A brief recapitulation, however, will not be inappropriate in this rapid sketch of the prominent doings of the Continental Congress. To Virginia belongs, without doubt or controversy, the honor of the first introduction of the distinct question of Independence. On the 14th day of May, 1776, she instructed

her delegates in Congress to propose to that body to make a declaration that the United Colonies were free and independent states, and absolved from all allegiance to the crown or Parliament of Great Britain. The first appearance of the question in Congress was on the 7th day of June, 1776, when, as the Journal states, "certain resolutions concerning independency being moved and seconded," the consideration of them was deferred to the following day, accompanied by an injunction that the members be prompt in their attendance. On the 8th the resolutions were taken up, but their further consideration was deferred until the following Monday, the 10th of June, and although on that day the consideration of the first resolution was deferred to the 1st day of July thereafter, yet, in order, as the Journal expresses it, "that no time be lost," a committee was appointed to prepare a declaration to the effect "that these United Colonies are and of right ought to be free and independent states; that they are absolved from all allegiance to the British Crown; and that all political connection between them and the state of Great Britain is and ought to be totally dissolved." This resolution was the one originally presented by Richard Henry Lee, one of the most distinguished representatives from Virginia, and is now in existence in his own hand-writing. This motion was seconded by "glorious John Adams," as he was afterward styled by Lee, and passed the Congress without a dissenting vote on the 2d day of July, 1776.

Thus was broken the last link in the chain of colonial dependence, and the duty of presenting to the world the reasons which "a decent respect for the opinions of mankind" obliged the Congress to offer, in justification of the great and momentous step, was confided to a committee composed of the illustrious names of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston. To Jefferson was appropriately given the position of chairman, and as such the duty devolved upon him of preparing the declaration. It could not have been assigned to better hands. In addition to a considerable legislative experience, he was thoroughly familiar with the whole course of our colonial history and the grievances under which our fathers suffered, and he held a most facile as well as a powerful pen. In this respect he had no equal in the Congress, unless it was John Jay. Jay would in all probability have been placed upon the committee instead of Livingston, but he had just before left his seat in the Congress to serve his own state in the convention that gave to New York the constitution of 1777, and although he subsequently returned to the Congress, and was its presiding officer, he left it again to discharge in foreign lands the great and important service for the country in the

diplomacy which closed the war and gave us final peace and national recognition.

The decisive resolution that settled the question of independence was, as I have stated, passed on the 2d day of July and without a dissenting vote. This statement is literally true, and yet it requires a few words of explanation and comment. The resolution in the precise words in which it was finally passed was introduced on the 7th of June, but its consideration was by the request of certain colonies who were fully prepared for action postponed from time to time until the 1st day of July, when the debate was fully opened, and as Jefferson stated in 1787, the discussion "lasted nine hours and until evening without refreshment and without pause." Of what was uttered in this momentous debate we have in the Journal of course no record, and but little mention elsewhere except that Jefferson in speaking of it says that Adams was the "Colossus of the Congress," and Richard Stockton declared him to be the "Atlas of Independence." We have however what purports to be, on what authority is not stated, an analysis of the speech of Richard Henry Lee on introducing the resolution. The speech attributed to John Adams in the memorial address of Webster on the death of Adams and Jefferson, although often declaimed by school-boys as the genuine Adams speech, is the product of Webster's own brain and is merely suggested as one quite characteristic of the man. Such a speech might well have been uttered by one so prompt in action, and so admirably trained in debate as he was, and possessing as described by Jefferson himself "a power of thought and expression which often moved the members from their seats."

This debate continued through the 1st day of July and until the 2d, when the final question was taken with no dissent as has been stated, except that the state of New York did not vote, her delegates however expressing their entire acquiescence in the result. The reasons for the New York delegates declining to vote were entirely satisfactory, and consisted in the fact that they were waiting for instructions which they had solicited from their own Provincial Congress which was about dissolving, and therefore postponed action until the meeting of the New Congress, which assembled on the 8th of July, and on the 9th passed a resolution unanimously approving the Declaration of Independence and directing their delegates to sign the instrument, which they accordingly proceeded to do on the 15th day of July, 1776. This roll was subsequently completed as it now stands, and is indeed a most venerable document, but in point of fact it was not signed as it is popularly supposed to have been on the 4th day of July, 1776. Some document of the same import was

doubtless signed on that day by the delegates then present, but there was a subsequent engrossment, and a new signing of all the names which now appear upon the parchment preserved with such scrupulous care among the Archives of the State Department at Washington.

Strictly speaking, then, it is an anachronism to call the 4th as we do "Independence Day." That day was the 2d and it was the day of which Adams spoke in his memorable letter to his wife written at the close of that day, as "the one that would be celebrated by succeeding generations as the *great anniversary festival*," to be solemnized by shows, parades, etc., and concerning which he predicted that through all the gloom that surrounded them he saw "the rays of ravishing light and glory" in which their posterity would bask and participate. The explanation is simply this, that as the Congress sat with closed doors the transactions of the 2d day of July and the absolute passage of the resolution were not publicly known, nor could they be until the report had been acted upon from the committee on the Declaration which was made and adopted on the 4th, when the whole proceedings, with the Declaration, were publicly proclaimed from the steps of the State House.*

It is no part of my purpose to enter upon any eulogy of the Declaration, much less to analyze its doctrines or enforce its lessons. Many of its topics were of temporary interest, and have passed away with the occasion that called them forth. One of the most able and brilliant of our recent scholars and public men, in what I must think was a burst of fancy as well as of rhetoric, once spoke of it as containing little else than "sounding and glittering generalities." If this were true of any portions of a document enshrined in the hearts and memories of all true Americans, it cannot be affirmed of two of its cardinal principles, the corner-stones upon which are erected the solid structures of American, as well as of all other true freedom. They are the absolute equality of all men before the law, and in their political and class relations, and that the true source of all governmental institutions rests in the consent of the governed. These were principles before unknown, or at least unapplied, in all the feudal, hereditary and aristocratic dynasties of the earth. They struck a fatal

* I desire as a matter of justice to state that for the main facts connected with the passage of the resolution on Independence and the signing of the Declaration, I am indebted to the painstaking industry of my friend Wm. L. Stone of New York, who has made our Revolutionary history the subject of the most indefatigable research, and who as the result of many years of earnest and unrequited labor possesses in my opinion in a set of more than eighty bound volumes, a more rare and valuable collection of documents, histories, autographs, etc., concerning the campaign of Burgoyne, the battle and surrender at Saratoga and the concomitant incidents, than is contained in any public institution or the library of any American scholar living or dead.

blow not only to what Jefferson called "the right divine of kings to govern wrong," but to the "*Jus Divinum*" by which they assumed to govern at all, and elevating the people to the proud distinction of sovereigns, put the reins of government substantially into their hands, to be operated by such means and agencies as they had the power and inclination to create. These principles, personal and political freedom sustained and upheld by law and the enthroned empress "the world's collected will," are those that constitute our charter, as they must be the polar star of all the struggling advocates of true liberty, and when they are denied or disregarded, freedom and law together take from this world their everlasting flight.

Among other most encouraging and gratifying incidents connected with our struggle for freedom and independence, was the sympathy and co-operation received from the friends of liberty abroad. I allude not now to the alliance with France, which occurred at a much later period of the contest, and was the result of long-continued and admirable diplomacy conducted by some of our ablest and most sagacious men. From the moment that the spirit of resistance to unjust taxation and remorseless greed in those sent to rule over us was developed, the interest in our cause was awakened in those strong and brave hearts that in other lands had been summoned to action either by similar exactions, or who gladly heard the trumpet-call of freedom and the summons to defend the rights of man. It reached them across the roaring waves of the Atlantic, and called to our aid some of the choicest of Europe's best and noblest sons. The mention of these men in connection with the Continental Congress is entirely appropriate, because each of them, unless my memory fails, reported himself on his arrival to the Congress, and was publicly recognized and received with tokens of distinguished consideration, and all were very soon appointed to positions of high rank in the American army.

Did time and space permit, I should delight to dwell on the history of these men, some of whom had not only a distinguished record, but a chivalrous and even romantic story, that fairly makes the most sluggish blood tingle at its recital. As it is, I can do little more than mention the names of some five or six of the most distinguished, leaving to your own memories or the histories of that period to supply the details which my limited time will not permit. These men were not mere soldiers of fortune, the waifs thrown to the surface of the troubled waters by the love of adventure, the Dugald Dalgettys of their day, who fought under any flag and in any cause where emolument was to be secured or reputation won. They were moved to action in most cases by the highest principle, and inspired with the noblest impulses. Some of them had seen and felt the

wrongs which were the outcome of the abuse of imperial and unchecked power, and some had in their own persons experienced the sharp edge of the sword that tyrants and despots love to wield over prostrate humanity. They hailed the dawn of a brighter hope for that humanity in the new world beyond the sea, and recognized the maxim that "Resistance to tyrants is obedience to God."

Poland gave to us the earliest of these coadjutors, in the persons of Count Pulaski and Thaddeus Kosciusko. It would require a volume to recount their histories, so closely connected as both are with the history of unhappy Poland, whose story has never yet been adequately told, although it is as the poet Campbell emphasized it, "the bloodiest picture in the book of time." It is a story that stamps ineffaceable disgrace upon the three European despots who partitioned the territory between them, and upon Napoleon, who, when he had the power, in 1808, failed to restore the possessions of which Poland had been robbed, and the autonomy she had lost. Both these men came to us before the army had been formally organized, but their services were tendered and accepted, and both performed good and valiant deeds—Pulaski yielding his life to our cause in the attack upon Savannah, in 1779, and America gratefully commemorating the act in a monument there erected to his memory.

Kosciusko came of a noble ancestry, and was a man of princely character and attainments. Soon after Washington's appointment as commander-in-chief, Kosciusko became one of his aids, and in this capacity, as well as others, performed important service for our cause. But a longing desire to aid, if possible, in restoring the lost glories of his native land, carried him back to Europe, before the close of our own struggle, where, in 1794, he headed the brave revolt against the oppressive Russian power, and was, literally, "Warsaw's last champion," and, intrusted with supreme authority, he, with only ten thousand men, resisted and repelled the assault of sixty thousand troops. In the words of another, "he displayed the integrity of Washington, with the activity of Cæsar." But the effort, although almost superhuman, was vain. In the last battle, he fought with scarce one-third the force of the enemy, and covered with wounds, he fell from his horse, exclaiming, "*Finis Poloniae!*" It was, indeed, the end of the dream of Polish freedom. Kosciusko, although a prisoner, was treated by the Emperor Paul with distinguished consideration. He never again wore sword, and, although besought by Napoleon to enter his service, he declined, without an absolute promise that his country should again receive a free constitution, and be restored to its ancient boundaries. There is no nobler name than his, not excepting that of John Sobieski, in

all Polish history. He died quietly, in France, after a life of storm and struggle and vicissitudes, and his body is entombed, by a royal mandate, in the mausoleum of the Kings of Poland, at Cracow, the most honored dust in that sepulchre of departed earthly greatness. The marble column that gleams on the eye of the passing traveler, from the cliffs at West Point, is only a cenotaph erected by a grateful country to remind its sons, in all the coming generations, of one who gave to our infant liberties the strength of a brave arm and the impulse of a generous and noble heart.

Germany sent to us, in 1779, two grand recruits in the persons of the Barons DeKalb and Steuben. They were brave and experienced soldiers, the former having served more than forty years in the armies of France, and the latter in the wars of the great Frederick of Prussia, to whom he became an aid-de-camp. Both were enthusiasts in the cause of American independence, and received distinguished commands in our army. DeKalb gave his life for us at the battle of Camden, and his memory was honored by a monument erected by Congress upon the ground where he fell. Steuben rendered most invaluable service in the organization and discipline of our armies; was rewarded by Congress with a grant of sixteen hundred acres of land in our own county of Oneida, in the soil of which he sleeps beneath a monument which our grateful fellow-citizens recently erected and publicly dedicated, with appropriate ceremonies, to his honored name.

The most distinguished, as he was the most endeared to all Americans, was the Marquis de LaFayette, the most devoted and beloved friend of Washington. Of noble descent, of the most finished manners, the favorite of the kingly court of France, at the age of less than twenty he broke away from all the blandishments of that court and the honors it had in store for him, and gave his means, his whole soul and being to our patriotic colonists in the critical days of their struggle, and identified himself wholly with our fortunes and our cause. His history I need not repeat. It is familiar to us all as household words, and engraven on the heart of every true American, and wherever freedom finds a home and undeviating consecration to principle an honest worshiper, there will his name be found high up on the roll of the world's good and heroic men.

The next work of importance engaged in by the Congress was the preparation of, introduction into, and the passage by Congress, with the subsequent ratification by the states, of the Articles of Confederation. The subject was first brought to the notice of the Congress in the month of August, 1776; was debated from time to time, but the Articles did not finally pass the Congress until July, 1778, and were ratified in the follow-

ing November. They were entered into by the thirteen original colonies proclaimed states by the Declaration of Independence. They were evidently deemed matters of momentous import, and were expected to be of extended duration, for they were entitled "Articles of Confederation and perpetual Union," but in the result it turned out that they were of much less importance than was conceived, and a short experiment demonstrated their practical inutility. They did, indeed, accomplish one object, and in effect that was about all the end they subserved. They brought the states into closer bonds and cultivated the spirit of union, and, therefore, perhaps, fitly preceded the grand work which the Constitution accomplished. They failed for the very reason that rendered the Constitution a necessity as well as a success. They had no inherent vigor and contained in themselves no power of accomplishing what they attempted. Their requisitions upon the states had no force beyond recommendations, and the states were at liberty to disobey without incurring any penalty, and with seemingly little consciousness of self-reproach.

Before proceeding to what was substantially the closing, as it was the crowning act of this Congress, let us spend a moment in refreshing our remembrance of an act followed, perhaps, by larger results and more enduring consequences than have attended any single act of legislation before or since the birth of our nation. I allude to the celebrated Ordinance of 1787, embraced in the scheme enacted by Congress for the government of that vast tract of country that went by the name of the Northwestern Territory. It comprehended a mighty space now filled up by millions of our enterprising pioneers, but then mostly an untrodden as it was an unexplored wilderness, so far as the white man had penetrated, stretching away from the west and north of the Ohio River onward toward the Pacific, with dimensions and capacities equally unknown. It had been acquired, so far as any title could be predicated of it, by loose claims and an occasional random settlement of wandering adventurers from various states, the largest claimants being the states of Virginia, New York and Massachusetts, all of whom ultimately made generous cessions to the confederacy, so that it became the common property of the Union. A scheme was devised for its settlement and regulation forming the organic law which should forever prevail in its government. It was entitled "An Ordinance for the Government of the Territory of the United States northwest of the river Ohio." Into this ordinance was inserted this pregnant provision: "There shall be neither slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crime, whereof the party shall have been duly convicted." This section was prepared

and offered in the committee by Nathan Dane, of Massachusetts, was adopted by it and reported to Congress, and, to its everlasting honor, passed by the unanimous vote of eight states, five of the eight being at that time slave-holding states. What a beneficent provision, and how far-reaching in its results who is competent to tell? In the memorable words of Webster, "It impressed upon the very soil itself, while it was yet a wilderness, an incapacity to sustain any other than a freeman. It laid the interdict against servitude in original compact, not only deeper than any local law, but deeper than all local constitutions." No child has been or ever will be born, throughout all that vast domain, that will not have occasion to bless the memory of Nathan Dane, and honor the good and the thoughtful men that passed that beneficent ordinance, "to the last syllable of recorded time."

And now came the closing, the supreme, the superlative work of the Congress, without which all its other labors might well have proved vain and fruitless. It did not require unusual wisdom nor a protracted experience for sensible men to perceive that a compact between independent powers each asserting its own sovereignty and perpetually disposed to fly off in its centrifugal orbit, might indeed be a confederacy, but was not a Union such as should weld us together in harmonious relations and constitute us a homogeneous people, an autonomous, a self-sustaining nation.

It is not within the scope of my present purpose to give a history of the great Convention by which that constitution was formed, nor of the various provisions of that instrument, although I must be pardoned if in closing I say a few words concerning the character and functions of that government which it organized. The history of the Continental Congress substantially ends with the act by which in the resolution of February 21, 1787, it called a meeting of that Convention which was to assemble in the following May for the purpose of revising the Articles of Confederation, and in the words of the resolution "render the federal Constitution adequate to the exigencies of government and the preservation of the Union." This Constitution, the result of the labors of this Convention, was reported to the Congress on the 28th day of September, 1787, unanimously approved on the same day, and immediately transmitted to the states, and as we all know subsequently ratified by the nine states whose assent was required, returned to the Continental Congress thus ratified, which by a resolution duly adopted, appointed the first Wednesday in March, 1789, as the time for the new government to commence its organized existence.

And here we may appropriately terminate the history of those several assemblages which altogether constitute the Continental Congress. The

delegates met, indeed, from time to time, until the 2d day of March, 1789, when, only a single member appearing, it quietly terminated its existence. The last roll-call was made on the 10th day of October, 1788, when only twenty members answered to their names, and of those only two are especially notable, to wit: Alexander Hamilton and James Madison, whose subsequent history has given to each a record of service of immeasurable worth to the new government, and to them individually an immortal name. Had the Congress survived another month, it would have had an existence of fifteen years. There was no beat of drums, no waving of standards, no noisy proclamation of heralds, when it went out of life; but what a record has it left of patriotic, self-sacrificing service, and what a legacy of priceless worth in the Constitution which, through its agency, is bequeathed to us and to our posterity forevermore.

And now, let us ask, what is this Constitution our fathers have given us, and what the character, the functions, or, in other words, the real import and the actual value of the government under which we live. Is it a mere compact made by sovereign and independent powers, each one the judge of the extent of the power it has conferred, and the manner and mode of its exercise? A government terminable at the will and subject to the capricious control of each of the high contracting powers that assented to its form, and gave it leave to be? Are we an assemblage of consenting sovereigns to a compact to which at any moment we may put an end in the exercise of that sovereignty; an aggregate of assenting atoms, agreeing indeed to unite, but capable of resolving ourselves into our original elements, and assuming at our own pleasure our primitive form and substance?

These are pregnant questions, put by some with cautious hesitation, by others with bold assurance; and yet the answer to them all seems to me most easy and satisfactory. Our Constitution is not a compact, it was and is not the creation of independent sovereignties, each competent within the very terms and in the spirit of the Constitution to place upon it their own interpretation, and of their own volition without revolution or violence to withdraw themselves from its jurisdiction. Neither the Declaration of Independence nor the Constitution was the offspring of state sovereignty. Both instruments on their very face confute this doctrine. The Declaration affirmed that, not by the authority of the states as corporate bodies politic, but "in the name and by the authority of the good people of these colonies," they declared themselves free and independent states; and the Constitution with equal explicitness declares that "We the people of these United States do ordain and establish this Constitution."

And it is equally clear, to state the proposition in its briefest and most comprehensive terms, that by the Constitution the people of these United States establish a nation supreme over all the lesser sovereignties that constituted the separate states, ordaining a Constitution that operated upon all the states in their corporate capacity not only, but directly upon every individual within the boundaries of the nation, and endowing that Government with legislative, judicial and executive functions, adequate to the enforcement of all its provisions against all resistance, whether that resistance should be by the exertion of individual force, or should arm itself with power attempted to be wielded by instrumentalities derived from any corporate source, be it municipal or state, or assuming to be sovereign under any name whatever. In these respects, if I may use the expression, as I do with the profoundest reverence, the general government is like Deity itself—

“Sitting serene upon the floods their fury to restrain,
And as such Sovereign Lord supreme forevermore shall reign.”

This is substantially the conclusion to which the great and unanswerable argument of Daniel Webster conducted the people of these United States when he met and overthrew the doughtiest of the champions of states' rights in the great debate of 1830. It is the doctrine which inspired the heart and aroused the unconquerable courage of that sturdy patriot, Andrew Jackson, who by the favor of a gracious Providence was in the Executive chair when nullification raised its head in 1832, and was by his iron will crushed out, as by his iron heel he would have stamped out its aiders and abettors, had they dared to put in actual practice what they proclaimed to be their abstract faith.

But although the snake was scotched, it was not killed, for it required the final and supreme argument to meet the doctrine of secession on its last field, and in agony and blood subdue and overthrow it forever. War is said to be the “*ultima ratio Regum* ;” and so it has often proved, and it is the final argument of republics as well, when the issue presented is that of continued existence or speedy death. Very dear, indeed, should this our freedom and our Union be to us, for with a great price we purchased that freedom, and with a vast sacrifice we preserved that Union. Would you estimate in part that price and sum up that sacrifice? Go, then, and visit the homes and stand by desolated hearthstones scattered through the land, and mark the vacant chairs once occupied by those who went forth to engage in that last great argument, and “whose feet departing ne'er returned.” Walk through the national cemeteries and count, if

you can, the cenotaphs that lift their white heads above the graves of buried heroes, or visit the quiet rural burial-places and note the green mounds, each distinguished by the modest stars and stripes that loving hands with each returning spring have planted there, and ask who sleep beneath, and constitute a portion of that countless host who

" On Fame's eternal camping-ground,
Their silent tents have spread
While honor guards with ceaseless round
The bivouac of the dead ; "

and then tell us what is the meaning of Union and nationality, and what the extent and boundless comprehensiveness of the compensations that give to those sacrifices their priceless value, their inestimable worth.

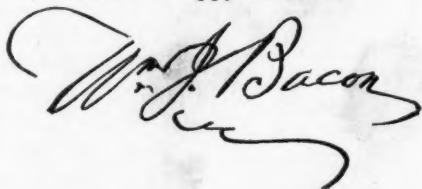
Shall this government that our fathers gave us, and this Union we have done and suffered so much to maintain, survive and be perpetuated, or shall we follow in the track of many nations—the wrecks and débris of whose existence are strewn all along the shores of time? There are prophets of evil, as well as of good. They have existed in all ages, and do still—ravens, very black and very hoarse, as black and hoarse as were those that sat upon the castle of Macbeth, and croaked the fatal entrance of Duncan, under his battlements. And some of them delight to sit upon the battlements of our Constitution, and hoarsely croak of present evil and coming disaster. Believe no such birds of ill-omen, listen to no such Cassandra lamentations of impending woe. Have faith in your institutions, and have faith in the men that enjoy as well as administer them.

Much as I admire Macaulay, I do not accept his philosophy. I remember that his training, as well as that of most of the foreign thinkers that have undertaken to sit in judgment upon us and our institutions, has been under monarchical and aristocratic influences, and my answer to his prediction that our institutions will fail because we have given to the people too much freedom, and that they will ultimately turn and destroy us with the very instrument we have given them for their and our protection, is the answer that, in a memorable debate in the Forty-fifth Congress, was given by him whom the people have just called to be their chief magistrate for the coming four years. That answer is this: Neither Macaulay, nor any of the other thinkers to whom allusion has been made, have given proper weight to two potent influences that enter largely into our civilization, and give tone and character to our institutions. One of these is our educational forces, that reach through and will ultimately permeate all classes in our community; and the other is, that we have no privileged social or

class distinctions that hold men down in hopeless, abject subjection, but all have liberty by the light of our institutions, to rise to the highest position within the gift of the Republic. To use his own striking illustration, "our society does not resemble the crust of the earth; with its impassable barriers of rock. It resembles rather the waters of the mighty sea, deep, broad and boundless, and yet so free in all its parts, that the drop which mingles with the sand at its bottom is free to rise through all the mass of the superincumbent waters, until it flashes in the light on the crest of the highest wave." This is our answer. Is it not ample, and is it not enough?

For myself, standing upon the verge of three-fourths of a century of our national history, having partaken in a limited degree of the responsibilities attaching to its legislative, judicial and executive functions, and gazing back through that long vista upon its varied fortunes, I avow myself in all that respects our national glory, stability and perpetuity, an optimist in as large a sense as John Milton was in regard to England, when in that grand burst of eloquence in his plea for the liberty of unlicensed printing, he exclaimed, "Methinks I see in my mind a noble and puissant nation rousing herself like a strong man after sleep, and shaking her invincible locks. Methinks I see her as an eagle, mewing her mighty youth, and kindling her undazzled eyes at the full midday beam purging and unsealing her long-abused sight at the fountain itself of heavenly radiance, while the whole brood of timorous and flocking birds with those that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of Sects and Schisms."

Such was the vision that broke upon the mental eye of one of the profoundest thinkers and noblest patriots of England. If the historian of the mother-land can not truthfully record its perfect fulfillment there, may it not be the hope and aspiration of the nation that broke away from her control, forgetting all our sad past and burying it forever in its grave of blood, and looking cheerfully to the future with its rainbow of promise, to more than surpass the dream of the poet in the peaceful glories that shall crown the coming history of free, united and happy America.

A large, elegant handwritten signature in dark ink, which appears to read "W. J. Bacon". The signature is written in a cursive style with long, sweeping strokes.

UTICA, NEW YORK.

PERSONAL RECOLLECTIONS OF PRESIDENT JOHNSON

Towards the close of 1867 I found a note one morning on my breakfast table from Senator E. D. Morgan, dated from the senate chamber, Washington, informing me that the President had that day sent in my name to the Senate as minister to a foreign mission—then about to be established—and that the nomination would be unanimously confirmed.

As I had neither applied for nor expected the appointment, and had no personal acquaintance with nor had ever seen President Johnson, I was much surprised at the information; none the less so, as the President was at the time exceedingly unpopular with the party whose principles I espoused. Indeed, so strained were the relations between the Executive and the two houses of Congress that rumors of impeachment were already in the air, and hitherto for some time every nomination sent by the President for confirmation by the Senate had been rejected by that body. Through family considerations it was by no means convenient for me, at the moment, to go abroad for a series of years, but I thought it proper to visit Washington for the purpose of expressing to the President, in person, my sense of the honor conferred, reserving my decision in the matter until my arrival. Circumstances however delayed this visit, during which interval the political relations between the President and Congress had become intensified. All efforts to bring about a reconciliation of interests had signally failed. The burning question was, Should the states lately in rebellion be restored at once to all their political privileges, or restrained by coercive measures until they formally and irrevocably accepted the situation, making oath to their loyalty to the Constitution and the Union? Johnson claimed that "the *status quo ante* was alone constitutional, and was for universal suffrage, and that the Union could be best preserved by the re-establishment of the conquered states on the basis of the equal political rights of *all* the states." He believed the radicals of the North to be blinded by malignant and partisan hatred, which would stifle every throb of loyalty in the Southern breast, and postpone for an indefinite period all attempts at permanent reorganization in the states so lately in active rebellion. The majority of Northern statesmen believed that Johnson was, at least, seeking political popularity with the southerners at the expense of the avowed principles upon which the war for the Union had been carried on, and which alone could maintain its integrity; that the

spirit of disloyalty and insubordination was still rife among the ex-secessionists, and that nothing but a firm hand and determined opposition to their attempts at rehabilitation—until guarantees were afforded of unquestioned loyalty—would restore the union of the states to anything but an empty name.

Finally, the resolution of the House of Representatives of February 24, 1868, to impeach Andrew Johnson, President of the United States, for "high crimes and misdemeanors" brought matters to a crisis. He was charged by his enemies with "being faithless to the people and the administration, and exciting sedition against the liberties of the people and the results of the war."

I confess that I did not relish the prospect of a personal interview with President Johnson; for, apart from political bias, I had imbibed a prejudice against him, and believed that however free he might be from dishonest motives, he was being manipulated by the most disloyal element of the "non-reconstructed" South. This opinion was confirmed by the appearance of the group of men who were awaiting interviews with the President in the ante-room when I entered, and who were certainly not composed of the chivalry and culture of the higher class of Southern gentlemen. Indeed, some among the latter had assured me that they felt no sympathy whatever with a certain body of political intriguers, whose efforts to increase the animosity between the Executive and the two houses served only to defer that peaceful reorganization of the Southern states which, "now that the war was over, all sensible men there heartily desired."

Had not the usher, who had taken in my card, indorsed by the Secretary of State, informed me that the President would see me the moment the person then with him departed, I should have postponed the interview. Whoever "the person" might be, I concluded that the conference was one of importance, as I was kept waiting a considerable time. When at last I entered the President's room, I met a man coming out with head bowed and in tears.

I had expected to find Johnson very ordinary in personal appearance, in spite of his great natural abilities; nor did I forget his heroic stand and his unflinching courage, when even his life was in peril while defending the Union in the very hotbed of secession. He was standing by his table at the upper end of the room, dressed neatly in a suit of entire black, and, in spite of his rather plebeian features, impressed me by his dignified and gentlemanly bearing.

He at once apologized for having kept me waiting, and explained that the individual who had just left had detained him in conversation longer

than he had expected. I remarked that the person referred to, as he passed me in going out, appeared to be suffering from strong emotion. After a moment's hesitation, the President explained that the interview had been a painful one on both sides. The man was an ex-Confederate officer, who having before the war served in the Federal army, now desired to be reinstated. Confessing his political error, he had come as a suppliant to the President to request a favorable recommendation to the Secretary of War. There were exceptional circumstances in this man's case which forbade any act of clemency on the part of the Executive, but the President had given him a moral lecture, and so feelingly appealed to his sense of honor, that the man had broken down with emotion.

Almost at the commencement of our conversation I stated clearly to the President my Republican sentiments, in order that, if he had acted in my case from any misapprehensions on that head, he might be enlightened.

"But," said he, with a smile, "I do not see why you should not be a very good man, if you *are* a Republican." Then, with a grave countenance, he added: "As to party politics, they should I think at a time like this be merged into united support of Constitutional principles, which I am sorry to say are being well nigh forgotten in party rancor."

After this remark the President entered into conversation with reference to the special object of my visit, which requires no further mention here, excepting that his manner and words were in the highest degree courteous and complimentary, and left no shadow of doubt on my mind that he desired to separate party views from the higher consideration of public duty. His allusion, at the commencement of the interview, to the unhappy differences existing between himself and Congress tempted me, before taking leave, to offer with his permission a few observations on the subject. He encouraged me to proceed by leaning forward in the attitude of attention, and he heard me very patiently to the end. He gave me credit, he said, for disinterestedness, when I remarked that having satisfied his official conscience by the clear and forcible enunciation of his political views on the points at issue, would it not be conducive to the best interests of the country to stay the discord now tending to grave results by no longer opposing a policy which met with the approval of the chosen representatives of the people at large?

Rising from his chair, and asking me—as I had risen with him—to resume my seat, the President rested one hand upon the table, and in a slow, modulated tone of voice and with impressive earnestness, as if addressing an audience from the rostrum, declared that he "stood upon the Constitution." That, throwing aside all sectional prejudices, he had

the interests of the whole country at heart, and fearing neither the threats of impeachment nor the mistaken views of popular opinion, he should maintain what he believed to be Constitutionally right, without fear or favor.

I left him with the conviction that, however impolitic or misguided might be his course, a more honest-hearted man did not exist; nor could I believe that the indomitable courage and persistency in behalf of principle which had characterized his conduct before the war, and had made the country ring with the name of "Andy Johnson," had become debased by truckling to the sycophancy of disloyal Southern politicians.

Meeting, on my way back from the White House, a "reconstructed" friend from the South, I referred to the President's political views, as expressed to me. "A man of higher integrity of purpose than Andrew Johnson," he remarked, "never sat in the Presidential chair. The mistake is that he is several years in advance of the times. We at the South are not yet repentant; but Johnson don't see it. *That's* what's the matter."

Charles H. Tuckerman.

EAST TENNESSEE ONE HUNDRED YEARS AGO

Mr. John Allison, in an address delivered at the seventeenth annual meeting of the Tennessee Press Association on *Roan Mountain*, July 14-16, 1887, claimed that the Watauga pioneers had established the first free government in America; the first church; the first institution of learning; the first newspaper west of the Alleghanies.

All men are interested in the development of society and therefore in the records of history. It is a duty due to the present and the future to correct inaccuracies. The above statement was made by one convinced of the truths he uttered and proud of the honored page that his noble ancestors have written in the annals of human achievement. The labors and deeds of these people are now finding a herald, and the simple story is more captivating than fancy has ever given to romance. They need no plumes plucked from others to wing their flight to fame.

We will consider the claims in the order in which they have been placed in the address. First comes the claim that the government of the Watauga settlement in 1772 was the first free government in America. The same claim was made by the writer several years ago in a sketch of General James Robertson. More careful examination has shown that the opinion was unfounded.

"East Tennessee began to be permanently settled in the winter of 1768-9. Ten families of settlers came from the neighborhood of the place where Raleigh now stands in North Carolina and settled on the Watauga. This was the first settlement in east Tennessee." [Haywood, p. 39.] Daniel Boone, who had been at the place as early as 1760, returned in 1769 or 1770. General James Robertson came in 1770. After the battle of Alamance many of the disaffected left the English rule for the freedom of the Western wilds and joined the Watauga settlement in 1771-2. The community had now grown beyond the dimensions of the hunter's camp and was composed of persons who sought permanent homes and the development of the new and fertile region. They were without any form of government. They well knew that no people could prosper without the restraints of law. To remedy this state of their affairs, they met and formed a regular system of government suited to their circumstances. The settlers believed at this time that they were residing within the boundaries claimed by Virginia. They adopted the laws of that colony,

where their own failed. Haywood, in his volume of the civil and political history of Tennessee, gives a general account of the workings of this government. Ramsey in his *Annals* also describes its operations. The course of these settlers in organizing and working a new state under their own forms and laws was known to the English authorities as was detailed in the letter of the Earl of Dunmere to the Earl of Dartmouth, Secretary of State for Great Britain, written from Williamsburgh, May 16, 1774.

This government must not be confounded with the government of Franklin formed after the Revolution. It had no connection with that movement. North Carolina, always jealous of the new community, erected it into a county in the year 1777. This terminated the Watauga Republic. Its constitution has been lost and is known only from tradition.

The emigrants to the valley of the Connecticut in 1635 and subsequently must claim precedence in the work of establishing a free government. The citizens of Weathersfield, Windsor and Hartford in 1638-9 framed and put in operation a written republican constitution under which they lived and prospered, until their charter was given to them by Charles the Second. This was the first written republican form of government, not only in America but in history. The electors were required to be male citizens of the community, to which position they were elected. Their elections were annual for governor and magistrates, as for members of the assemblies or courts. The governor must be a resident citizen and "a member of some approved congregation." He could not be chosen oftener than once every two years. This government forms the basis of the present constitution of the state. It was a remarkable document for the period. For a full understanding of this instrument the reader may consult Poor's *American Constitutions*, Hollister's *History of Connecticut*, Leonard Bacon's address on the constitutional history of Connecticut.

The next claim is that the first church west of the Alleghanies was established in Washington county, the Salem church by the Rev. Samuel Doak in the year 1777. We have not been fortunate enough to find that the Rev. Samuel Doak reached Tennessee at that early a period. He was licensed to preach in Hanover, Virginia, October 31, 1777. After this he preached for some time in Washington county, Virginia, before he moved to the Holston settlement. In a year or two he moved to Little Limestone, purchased a farm and founded Salem church and an academy. These facts are derived from the *Presbyterian Encyclopedia*, and is the most authentic account that we have been able to find of this remarkable man. It is not probable that he reached Little Limestone before 1780. It

is not known at what period he began his school. The legislature of the state of Franklin, of which body Doak was a member, terminated its first session March, 1785. It passed an act for the promotion of learning in the county of Washington. Under this act Martin Academy was established, and the Rev. Samuel Doak was its first president. For these facts we refer the reader to Ramsey's *Annals*.

The Rev. Joseph Smith received a call from Cross Creek and Buffalo congregations in the county of Washington, Pennsylvania, in the year 1779. He accepted the call in the year 1780. He founded a classical and theological school near Buffalo, where young men could be qualified for the ministry. A number of youths availed themselves of the advantages. Dr. Smith, like Dr. Doak, was a graduate of Princeton, and like him was an eloquent and earnest preacher and an accomplished scholar. Two Presbyterian divines had preceded Smith across the Alleghanies, the Rev. James Power and the Rev. John McMillan. The former was the earliest, and founded the church at Mt. Pleasant as early as 1776. This was in Westmoreland county, Pennsylvania. The Washington Academy was chartered in the year 1787. It is not now possible to ascertain how early Dr. Smith commenced his school. It is probable during the first year of his ministry in the West, in the year 1780 or 1781. Dr. Doak may have begun his school about the same time. This, like the date of Dr. Smith's school, is a conjecture. The biographies of Drs. Smith, Power and McMillan are recorded in *Old Redstone*, a work written by the Rev. Jos. Smith, a descendant of the pioneer. The reader is referred to this work and also to the encyclopedia already mentioned. The first church west of the Alleghanies was the Mt. Pleasant, founded by Dr. Power. It may be that Dr. Doak's school preceded that of Dr. Smith.

The first school established west of the Alleghanies that had the authority of a legislative enactment was Martin Academy. The Nashville Academy was founded the same year by the same authority. The honor of founding the first institution of learning in the valley of the Mississippi must be accorded to the Franklin government.

The churches at Cross Creek and Buffalo in Washington County, Pennsylvania, and the Mt. Pleasant church in Westmoreland County, Pennsylvania, preceded the church at Salem, Washington County, Tennessee.

The claim to the first newspaper established west of the Alleghanies remains to be considered. The date is fixed in the address in 1791 at Jonesboro or Rogersville. The honor is claimed by both places. Thomas, in his *History of Printing*, says that Mr. Roulston came from Massachusetts and established the Knoxville *Gazette* in 1793. The census report of 1880 sus-

tains this statement. This is the most authentic report that we have found.

Butler in his *History of Kentucky* says that John Bradford issued the first number of the *Kentucky Gazette*, August 18, 1787. Thomas in his work gives September, 1786, as the date of the establishment of this newspaper. The census report of 1880 sustains Butler's date. This report states that March 14, 1789, the name was changed from the *Kentucke Gazette* to the *Kentucky Gazette*. October 27, 1787, the full text of the Constitution of the United States was published in this paper. It had been signed by all the members of the convention September 17, 1787, in Annapolis, Maryland.

Thomas' *History of Printing*, vol. 1, p. 270, states that a press was established in Pittsburgh, Pennsylvania, by John Scull, July 29, 1786. Among the early papers this author enrolls the *Pittsburgh Gazette*. This was the first newspaper in the valley of the Mississippi, if Thomas is correct. The second was the *Kentucky Gazette*. The date of this paper is better attested than that of the *Pittsburgh Gazette*. From the dates given, it is evident that priority belongs to east Tennessee only in the establishment of an institution of learning by authority of law.

It is by no means certain that Dr. Doak began his school before the establishment of Martin Academy. This early movement in the cause of education manifested the superior character of the founders of the state of Franklin, which was so spitefully overthrown by the state of North Carolina. The founders of the new state were not in revolt, for North Carolina had passed her act of cession which left the new community without the jurisdiction of the parent state. After the formation of the state of Franklin, the act of cession was promptly repealed, as it had not yet been accepted by the United States. So far as North Carolina was concerned, Tennessee was abandoned to the action of the general government, which did accept the territory. It is true that the power still remained in North Carolina, but the act was not the less the result of jealousy of the new and growing community. The formation of the new state was eagerly snatched as a pretext for the repeal of the act of cession before Congress had time to pass upon it. Disappointed rivalry had much to do with the inauguration of this unbecoming haste, which was in a few years corrected by the introduction of the state of Tennessee into the Union.

The early east Tennesseans have no doubt a claim to priority in modern abolition. In the inauguration of the movement looking to the abolition of slavery throughout the Union, she can justly claim precedence. As early as 1814 and 1815 Charles Osborn established abolition societies in

Washington county. In the year 1820 Elihu Embree commenced in Jonesboro the *Emancipator*, devoted to the cause of the emancipation of the slaves. Mr. Embree died early in 1821, and his paper passed into the hands of Benjamin Lundy, was removed to Greenville and the name was changed to *The Genius of Universal Emancipation*. It was published in Greenville till 1824, when he removed it to Baltimore. It was not until 1829 that William Lloyd Garrison, a young Bostonian, joined Lundy in Baltimore. It was in this convention that Garrison first made the reputation for which he suffered in a Baltimore prison. He was induced by Lundy, in Boston, the year before, to give his attention to the question.

The convention that formed the first constitution of Tennessee gave the elective franchise to all free men, and under it free negroes voted till 1834, when they were deprived of that right under the new constitution. This subject forms an interesting chapter in the history of Tennessee, which remains to be written. We have protracted this article beyond the limits we had assigned, and will not enter further into the matter at this period.

Jos. S. Fowler

WASHINGTON, D. C.

A CHAPTER IN THE HISTORY OF SPAIN

IN RELATION TO AMERICAN AFFAIRS

The history of Spain, during this century, is a series of ever-appearing, ever-vanishing pictures. It is full of most opposite feelings, sentiments, and acts, abounds in most thrilling romance, surpassing the imagination of the dreamer. Veritable and well-authenticated events have surprised and defeated the speculation of political philosophers, the plans of statesmen, the schemes of adventurers, the hopes of the patriot. The purpose of this paper is the recital of what occurred in a brief period, somewhat of an episode, but illustrating the good and bad points the contradictory characteristics of Spanish character.

Charles IV. was a weak and despicable king, credulous, easily deceived, fond of gossip, and controlled by his favorites. In the latter part of his reign the "Prince of Peace" was the acting and actual sovereign. A brief account of this successful adventurer will give the best insight into the social and political life of the period. The royal family lived within the palace, thoroughly protected from outside intrusion or attack; yet a part of the cumbrous etiquette of that time was a separate guard for every member. This service is continuous, performed day and night. Manuel Godoy, a bright, handsome youth, serving in the Horse Guards a corps composed exclusively of gentlemen, was on duty at the apartment of Princess Louisa, and soon became to her "the most *amusing* of mortals," and consequently a favorite of her unsuspecting husband. The queen's partiality soon advanced Godoy to the highest honors of the state and the first rank of the army. A princely estate, belonging to the crown, was bestowed upon him, with the title of Duke de la Alcudia. Made Prime Minister, he ambitiously began hostilities against France, but foreseeing inevitable defeat, he had the sagacity and tact to conclude the peace of Basle, for which popular action a new dignity, above grandeeship, was created for him alone, and with the title of "Prince of Peace," by which he is best known, he was placed next in rank to the princes of the royal blood. The king, having almost parental fondness for him, secured his marriage into the royal family, and sustained him against the conspiracy of rivals, and even the fits of mad jealousy of the queen, to whose infidelity the king was inexplicably blind. Despite Godoy's marriage and

capricious gallantries the attachment of the queen for him seemed inextinguishable, and displeasure and banishments were reversed by his attractiveness and tact, aided possibly by the ample means in his power for exposing her majesty. Once, on restoration to favor, he was made High Admiral, to which position great emoluments and the address of Highness were attached.

Godoy was unlettered, but active and intelligent in the discharge of his duties, and when Cevallos, the minister for Foreign Affairs, had not the courage or the power to act, George W. Erving, the American *charge d'affaires*, often had recourse, and not always ineffectually, to the "Prince of Peace," whose wisdom and breadth of view Mr. Erving commended in his dispatches to our government.

On 22d December, 1807, Mr. Erving wrote to our Secretary of State that there prevailed in Madrid a rumor of a contemplated visit of Napoleon to Spain. The conjecture received countenance from the extraordinary preparations which Beauharnais, the French ambassador, was making in the purchase of horses, furniture, etc., for the reception of some person of distinction. By the last of January, 1808, the French troops in Spain were rapidly augmenting, and Valladolid was occupied as an advanced post. The emperor preserved a studious and contemptuous silence toward the government of Spain as to the object of his invasion, deceiving no one, however, except the chiefs of the royal family, who, in their squabbles and unnatural rivalry, were coquetting with Napoleon, and imagining that they were securing his favor. Early in the spring the French troops had so increased that Mr. Erving reported the number in Spain at two hundred and fifty thousand, but he afterward modified largely his estimate. It should not be forgotten that these occurrences took place before the days of steam or electric communication, when postal facilities were very imperfect, and accurate and early information as to military movements was almost impossible. The French occupied Navarre, the ports and fortresses of Cataluna, and other points. An advance Madrid-ward was constantly expected by the Spanish government. When it was understood that Napoleon purposed the conquest of Portugal, Spain offered to undertake, without his assistance, the reduction of that kingdom, but the emperor did not choose to expose that object to the least risk of failure, and, therefore, preferred to employ his own troops. Spain could not object to the passage of one hundred thousand allied soldiers through her territory in a war against a common enemy, but she protested against a larger number, and did not disguise concern and apprehension at the possession by a foreign power, by means almost for-

cible, of such places as San Sebastian, on the north, and Barcelona on the east.

The intention of the emperor to visit Madrid about the 10th of April was formally announced, and accompanied with assurances of most friendly intentions and explicit committals to the king. The approach of the French army, the well-known projects of the great conqueror, and the unscrupulous means of his success, caused much alarm in the capital and violent debates in the council. The "Prince of Peace" held his weekly and largely-attended levees, and in the last one announced that the French were fast upon them. About the first of March the court withdrew south to Aranjuez, where is a royal palace, and Godoy soon followed.

In the midst of the terror engendered by the coming of foreign troops, an attack, stimulated by the unpopularity of the weak king and wicked queen and hatred of the favorite, was made by the enraged populace, the night of the 18th of March, on the house of Godoy who had barely time to escape the popular fury. The alarm spread to the palace, and the friends of Ferdinand took advantage of the crisis to espouse his enthronement. Charles, in a paroxysm of fright, was induced to abdicate in favor of his son, who became king amid tumultuous excitement and disorder, the foreign ministers, who had accompanied the court to Aranjuez, "hurrying to the parlor and presenting themselves in their boots." It is creditable to the humane and affectionate character of Charles that he resigned the crown from eagerness to rescue his imperiled friend. The king's abdication was published to the multitude, the guards siding with the mob, and Ferdinand made his appearance on horseback to fulfill the engagement made with his father to protect Godoy from assassination. Godoy was found in his concealment, and carried a prisoner to the Horse Guard barracks. Subsequently, under a French escort, he was transported to France, amid the bitter murmurs of the people for the disappointment of their revenge.

It is generally suspected that a part of the plan of Napoleon was to induce the flight of the royal family, and provide an independent state for some of his kinsmen or for Godoy; but this was frustrated by the popular outbreak and the sudden accession of Ferdinand VII. Clutching at the bauble of a royal diadem which he had shown himself unfit to wear, and ill-advised, Charles consulted with the council upon the advisability of following the example of the Portuguese family and finding a throne in America. The council answered that the colonies belonged to the Crown of Spain, and not to the family of Bourbon, and that he had no right to establish himself in America.

While the events just related were occurring, Murat was at a short distance from Madrid. On the 23d March, 1808, he reached the city with twenty thousand men, leaving twelve thousand more at the Escorial, fifteen miles distant. A division occupied Madrid; the remainder encamped in the environs. The French entered as friends, and would have been welcomed as brothers if Ferdinand had been recognized by them as the rightful sovereign; but that was not the Napoleonic programme of artifice and falsehood. Murat took up his quarters in the splendid house of the "Prince of Peace." He was in the Spanish capital to pursue the course most conducive to the occult and selfish designs of Napoleon. The next day Ferdinand VII. arrived. Dressed in the uniform of the *Guarda du Corps*, attended by a few soldiers, he came in on horseback at the gate of Atocha, and rode up the broad Prado. The stupid Bourbon, says Blanco White, who witnessed the entry, seemed like a wax figure in contrast to the magnificent horsemanship of Murat. The king, whose popularity was a rebound from the hatred of the queen and Godoy, was received with acclamations by immense numbers of *Madrileños*, who thronged the streets leading to the palace, and gave an enthusiastic welcome. Murat took no public notice by himself or troops, of the king's coming or presence, but encouraged him privately with hopes of a speedy recognition. Dissatisfaction was expressed at the recent changes in the government, and it was published that the emperor was expected in a few days. The new king sought by professions of friendship to court the support of French power, and took every method to evince his confidence in the friendly professions of the emperor. Several messengers were dispatched to meet Napoleon on the frontier and invite him to Madrid. Such subserviency did not extinguish the loyalty of the people to the throne. The non-recognition of Ferdinand awakened fears and suspicions, and elicited bold and generous offers of support from various parts of the peninsula. When the king, deceived or intimidated, departed for Burgos to meet the emperor, and was decoyed by an artifice to Bayonne, the fiercest indignation of the Spaniards was aroused. The evidently-contemplated usurpation excited the inflammable people and made ready the approaching catastrophe. Schemes for the expulsion and destruction of the French were openly discussed, and there were devised ridiculous, fool-hardy plans, which, coming to Murat's knowledge, caused him to prepare for resistance.

One of the most generally observed fête days of Madrid is the 2d of May, which, with an obelisk of that name, commemorates the insurrection of that day, and the heroes of Spanish independence. That movement resulting so disastrously was not concerted, and may have been

precipitated by Murat—such at least is the recorded judgment of some Spanish authors. The brother of Charles IV. was to start for Bayonne to join the semi-imprisoned royal family. His departure being forcibly resisted, the insurgents were fired upon by a French guard. A cry of "To arms!" spread rapidly, and the tumult began. The attempt at successful resistance to French occupation was, under the circumstances, stupidity—madness. Only a few Spanish soldiers aided the "Bashi-bozooks," their comrades being strictly confined to their quarters. The unorganized mass displayed much courage, but the disciplined and well-armed French soon occupied every central and strategic position. The artillery created a panic. The cavalry scoured the streets. The mob was subdued, and the infantry bivouacked in the Puerta del Sol. A fearful and bloody massacre was the fate of the exasperated and patriotic and unwise Spaniards. Order soon reigned in the capital. The 2d of May is now a popular political festival, and the monumented dead are regarded with reverent affection.

It was not long before Ferdinand ceased to have even the semblance of rulership, and his credulity, want of vigor, and infatuation of conduct deserved a deposition. At Bayonne he was little better than a prisoner, and in one of his letters to the regent he wrote: "My dear uncle: I am well, and that is all I can say." From 1808 until his restoration in 1814, he remained a prisoner. Charles IV. recalled his coerced abdication, and became nominally a king again, but Murat was in reality the sovereign, under the character of His Majesty's Lieutenant. All the royal family and the "Prince of Peace" being now at Bayonne, having been enticed or gently forced thither by the emperor,* Murat took possession of the palace and surrounded himself with all the paraphernalia of royalty. When he appeared on the Prado every Saturday morning, in glittering uniform, with richly-accountered officers, to review the army, the splendor of the spectacle attracted many beholders. On the 10th of May he received, in a great levee, the diplomatic corps, the grandees, and constituted authorities, and on the 11th, at a special attendance of the foreign representatives, he officially communicated the renunciation of the throne by Ferdinand, who assigned as a reason for his pusillanimity that if he adhered to his rights

* What a commentary on royalty, on hereditary governments! What a collection of degraded humanity! Professor Harrison, in his work on Spain, makes this characterization: "Charles, a fool, a coward, a hen-pecked, contemptible bigot; Ferdinand, a hypocrite, an ignoramus, a lazy and faithless wire-puller; the Queen, a hag; Godoy, a scoundrel." Ticknor, in his *Journal*, 1818, says of Ferdinand: "The King, personally, is a vulgar blackguard. I will not repeat the instances of rudeness, vulgarity and insolence towards his servants and ministers, which are just as well known at Madrid as that he drives in the Prado."

he would expose Spain "*to the loss of all her ultramarine colonies!*" Previously Murat had not hesitated to announce the plan of his master, and now the mask was entirely thrown off. Charles transferred his rights as King of Spain to Napoleon. The Bourbons were to disappear, a new dynasty was to be established. Europe had been previously supplied with vassal kings, Spain and Portugal being left unprovided because of the emperor's engagements elsewhere. Joseph Bonaparte was, on 25th July, proclaimed King of Spain, and took up his disturbed residence, for a brief and unhappy period, in the royal palace at Madrid.

Murat exerted himself vigorously, prior to Joseph's appointment and coming, to restore confidence and conciliate the people, but the public walks were deserted, and the theatres were closed. He gave severe examples of resolution and power, and then by a mixture of firmness, kindness, and address assured the continuance of tranquillity. The general sentiment, however, was one of stubborn, unrelenting opposition to French occupation and the transfer of the sceptre to the brother of the usurper. On the part of a few, such a sense of political degradation was felt that the expected reign of Joseph had some well-wishers who hoped somewhat from his non-education in the Bourbon school of despotism, and could not conceive of more abject, servile dependence than existed under Charles and Ferdinand. The transfer of the throne excited a discontent and insurrection well-nigh universal among a people noted for their unreasoning loyalty. Enthusiastic rage stirred up a desultory guerilla warfare. At Saragossa, the capital of Aragon, hostilities assumed the most determined and organized form, the extent and mountainous character of the province, and the hardy, warlike character of the inhabitants making the resistance formidable and difficult to subdue. Navarre, Castille, and other provinces were also in arms, and at Santander a bishop, leaving his crosier, buckled on his sword, and valiantly led in person his faithful command.

Murat had recourse to all sorts of artifices to foment the divisions which existed in the royal family, and he hoped to turn the complications and feuds to his own advantage in the attainment of his ambitious designs. This gave umbrage to his imperial brother-in-law. In the conflict of jurisdictions, and the uncertainties of the struggle, the situation of the Grand Duke became extremely disagreeable and very different from what his ambition, his military successes, and his relation to Napoleon had led him to hope for. His health failed, the disorder being in a great measure nervous, and he was relieved, and returned to France very discontented. One biographer says he had "*explications tres vives.*" The chagrin was increased

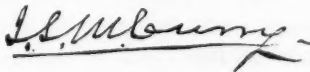
by having Joseph assigned to the throne which had been promised to him. Mr. Erving, in a dispatch to our government, 22d June, 1808, says of Murat's departure from Madrid: "He will carry with him the good wishes of a great majority of the sensible and respectable people of Madrid, who admire his talents, his moderation, and the affability and frankness of his manners." *

It is not within the plan of this sketch to recite the history of the stubborn and unequal contest in Spain, the unparalleled heroism of the Spaniards, the unsubstantial kingship of Joseph, the coming of the great conqueror to Madrid on 2d December, 1808, his fruitless attempt to subjugate the Peninsula, and the re-establishment of the imbecile and unteachable Bourbon on the throne. The government in Spain being committed to a junta, driven from "pillar to post," our American representative, in his interesting letters to the Secretary of State, bears frequent testimony to their unquestioned patriotism, indefatigable zeal, undaunted firmness in the midst of most pressing dangers, and individual disinterestedness. Under circumstances of extreme embarrassment they never despaired of the public cause, notwithstanding they had to struggle against the weakness of their own feeble and abnormal texture, the impossibility of bringing into operation the interior resources of the country, the insufficiency of those from abroad, the vigor of the enemy, the activity of domestic intrigue and treason, the total defection of allies on the one side, total subjugation on the other, and the disorganization and dispersion of their armies. Turning reluctantly away from a theme so enticing, bringing into conspicuousness Spanish patriotism and courage, it may not be uninteresting for me to mention Murat's connection with the Legation of the United States.

* The history of this remarkable man illustrates the kaleidoscopic changes of the Napoleonic era, and is itself a thrilling romance. Joachim Murat was born of obscure parentage, 25th March, 1771. Dissipated, adventurous, reduced to distress in his youth, he served in a restaurant. Activity and quickness obtained him a place in the Constitutional Guard of Louis XVI., where he won rapid advancement. Attaching himself to Bonaparte, he became his confidential aid-de-camp. Ambitious as his chief, he attained to high dignities. Bonaparte gave him his sister Caroline in marriage, and made him Marshal of the Empire, Prince, Grand Admiral, and Grand Duke of Berg. By the solicitations of his wife, more impatient than himself, Murat became king of Naples under the name of Joachim Bonaparte. He loved pomp, ceremony, showy costumes. Napoleon, treating his royal creatures as subjects, wrote to his sister, "Your husband is very brave on the field of battle, but he is weaker than a woman or a monk when out of sight of the enemy." To Murat himself in 1815, "The title of king has turned your head; if you wish to preserve it, conduct yourself well." After much vacillation and many vicissitudes, a military commission adjudged him to death. Refusing to have his eyes bandaged, he said to his executioners, "*Savez le visage, visez au cœur.*"

During the Napoleonic wars, commerce and travel were much interrupted, the rights of neutrals were little respected, force and fraud were substituted for international law, and American vessels were captured and detained illegally as prizes. Mr. Erving, our indefatigable *chargé*, "so much respected," says Mr. Ticknor, at a later date, "by the diplomacy, the government, and the Spaniards," was compelled to apply to all who had real or apparent authority, for the release of our vessels and for the protection of the property covered by our flag. To the proverbial procrastination of Spanish officials* was superadded the inability of the government. The transmission of instructions and dispatches between Washington and Madrid was slow and uncertain. Duplicates and triplicates even, as well as originals, were sent by any conveyance that presented itself, and the incomplete file of the archives, from 1800 to 1820, shows the loss of many important documents. The importance of communicating with the government, during that troublous period, necessitated the employment of a special messenger, and the engagement of a vessel. The Dutch minister informed Mr. Erving that it would be very agreeable to the Grand Duke to send by the same messenger dispatches to the emperor's ambassador in the United States. On 15th May, 1808, while dining with the Grand Duke, Mr. Erving mentioned his embarrassment in sending his special messenger, and asked an order for the immediate discharge of any suitable American vessel which might then be detained at the Spanish port of Algeciras, opposite Gibraltar. Murat acceded immediately to the request, professing his desire to do everything which might be agreeable to the government of the United States. On the expression of the satisfaction which would be afforded in being the medium of conveying dispatches to the French embassy in Washington, Prince Murat rejoined that the emperor would be infinitely obliged, and that the papers would be soon furnished. The Spanish Minister of State, having interposed some objection to the release of captured vessels, the prince gave a peremptory order that a vessel, to which the minister raised no objection, should be released, if such an one could be found; otherwise, that any vessel which Mr. Young, the messenger, should judge suitable, should be placed at his disposal. A few days later Murat gave an order for the discharge of all American vessels held in Spain.

MADRID, SPAIN.



* Lord Bacon in one of his essays, says, "The Spaniards and the Spartans have been noted to be of small dispatch. *Mi venga la muerte de Spagna*. Let my death come from Spain for then it will be sure to be long in coming."

WASHINGTON'S DIARY FOR AUGUST, 1781

FROM THE MANUSCRIPT COLLECTIONS OF GENERAL MEREDITH READ

In the month of February, 1881, the *Magazine of American History* published Washington's diary from May 1st to August 1st, 1781, accompanied with a fac simile of its opening page, and a description of all the diaries of Washington that are preserved in our national archives, from the pen of Theodore F. Dwight, librarian of the State Department. For some reason an important part of this particular diary, from August 1 to August 14, 1785, was then omitted, and we now have the great pleasure of giving it to our readers. The following letter explains itself:

PARIS, June 3, 1888.

EDITOR OF MAGAZINE OF AMERICAN HISTORY:

Twenty years ago I procured copies of all the diaries of the illustrious Washington existing in the State Department, with permission to publish the same. You will observe the certificate of Secretary William H. Seward appended to the copy I now forward you. In writing to me on the 3d of July, 1868, Mr. George Bartle, the copyist, then occupying an important post in the State Department, said: 'I received your letter of the 22d ultimo, and transmit by this day's mail a copy of the diary which I commenced before you left this city. The following is an exact description of the original. The book is a plain volume, half bound in sheep, with paper sides. It is half an inch thick, seven and a half inches in length, and five and a quarter inches in breadth. It opens the long way. On the left hand cover is written 'Journal, 1781.'

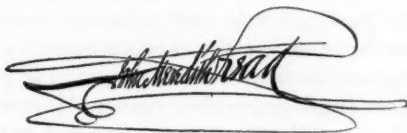
The original is not ruled or paged, and it is written throughout on both sides of the leaves. The copy I send you contains the same number of lines on each page, and words are divided and spelled the same as in the original, and all interlineations are copied. This manuscript is perhaps the most important of the diaries of Washington in possession of the government. It opens on the 1st of May, 1781, with these words: 'I begin at this epoch a concise journal of military transactions.' And it terminates in an abrupt and incomplete manner on the 14th of August, 1781."

Washington traces in a simple and generally clear style the progress of

events, and the results of his military observations in the neighborhood of New York. He sums up the situation in May, 1781, in a brief but graphic manner, and sets forth in striking terms "our wants and our prospects." There are many interesting allusions, and many side-lights of history introduced into the pages. Washington's account of the interview with Count de Rochambeau and Chevalier de Chastellux at Wethersfield is important, for it outlines the plan of campaign and the operations to be begun against New York. The diary vividly depicts the condition of affairs which led up to the final surrender of Cornwallis on the 17th of October, 1781. Reading this in the light of after events, we are led to believe in an overruling providence in the affairs of nations as well as of individuals.

The most salient points in this vigorous daily statement is the reiteration of the unpatriotic indifference of the New England states to Washington's pressing needs. In one instance he called for six thousand men and received only one hundred and seventy, and so on until the end of this chapter of the nation's history. While from the immediate standpoint of Washington this criminal negligence seemed to be a misfortune, it was really a benefit in disguise, for it led him to turn his attention southward, and to get all his forces well in hand, so that when the decisive moment arrived, he was ready to swing them with a crushing blow against the bewildered enemy.

To all persons acquainted with the environs of New York, the graphic account given of the reconnoitering in the neighborhood cannot fail to be of extreme interest. Each spot is pictured with its peculiarities, and the landscape is set before us in all its varied yet consecutive features. The language is that of a simple soldier, but the ideas conveyed are vividly artistic.



THE DIARY, AUGUST 1—AUGUST 14, 1781

August 1st. By this date all my boats ready—viz.—one hundred new ones at Albany (constructed under the direction of Gen. Schuyler) and the like number at Wappings Creek by the 2^d M^r Gen.; besides old ones which have been repaired. My heavy ordnance & stores from the eastward had also come on to the North River—and everything would have been

in perfect readiness to commence the operation against New York if the States had furnished their quotas of men agreeably to my requisition—but so far have they been from complying with these that of the first not more than half the number asked of them have joined the army; and of 6200 of the latter, pointed and timorously called for to be with the army by 15th of last month, only 176 had arrived from Connecticut, independent of about 300 State troops under the command of Gen^l Waterbury, which had been on the lines before. We took the field, and two companies of York levies (about 80 men) under similar circumstances.

Thus circumstanced, and having little more than general assurances of getting the succours called for—and energetic laws and resolves—or laws and resolves energetically executed, to depend upon with little appearance of their fulfillment, I could scarce see a ground upon which to continue my preparations against New York—especially as there was much reason to believe that part (at least) of the troops in Virginia were recalled to reinforce New York and therefore I turned my views more seriously (than I had before done) to an operation to the southward—and, in consequence, sent to make enquiry, indirectly, of the principal merchants to the eastward what number and in what time, transports could be provided to convey a force to the southward, if it should be found necessary to change our plan—and a similar application was made in a direct way to Mr. Morris (Financier) to discover what number could be had by the 20th of this month at Philadelphia—or in Chesapeak bay—at the same time General Knox was requested to turn his thoughts to this business and make every necessary arrangement for it in his own mind—estimating the ordnance and stores which would be wanting and how many of them could be obtained without a transport of them from the North River. Measures were also taken to deposit the salt provisions in such places as to be water born—more than these, while there remained a hope of Count de Grasse^a bringing a land force with him, and that the States might yet put us in circumstances to prosecute the original plan, could not be done without unfolding matters too plainly to the enemy and enabling them thereby to counteract our schemes.

August 4th. Fresh representations of the defenceless state of the Northern frontier for want of the militia so long called for, and expected from Massachusetts bay; accompanied by a strong expression of the fears of the people that they should be under the necessity of abandoning that part of the country—and an application that the second York Regiment (Courtlands) at *least* should be left for their protection induced me to send Major-Gener^l Lincoln (whose influence in his own state was great) into the

counties of Berkshire and Hampshire to enquire into the cause of these delays and to hasten on the militia. I wrote at the same time to the Governor of this State consenting to suffer the 4 companies of Courtlands Regiment (now at Albany) to remain in that Quarter till the militia did come in, but observed that if the States instead of filling their Battalions and sending forth their militia, were to be calling upon and expecting me to dissipate the small operating force under my command for local defences, that all offensive operations must be relinquished and we must content ourselves (in case of compliance) to spend an inactive and injurious campaign which might—at this critical moment—be ruinous to the common cause of America.

August 6th. Reconnoitred the Roads and Country between the North River and the Bronx from the camp to Philips's and Valentines Hill and found the ground everywhere strong—the hills four in number running parallel to each other with deep ravines between them—occasioned by the saw mill river, the sprain branch, and another more easterly. These hills have very few interstices or Breaks in them, but are more prominent in some places than others. The saw mill river, and the sprain branch occasion an entire separation of the hills above Philips's from those below commonly called Valentines hills. A strong position might be taken with the saw mill (by the widow Babcocks) in front, and on the left flank, and the North River on the right flank—and this position may be extended from the saw mill river over the sprain branch.

A letter from the Marquis de la Fayette of the 20th ult^o gives the following acc't. That the two Battalions of light infantry—Queen's Rangers—the Guards—and one or two other Regiments had embarked at Portsmouth and fallen down to Hampton R'd in 49 transports: he supposed this body of troops could not consist of less than 2000 men: that Chesapeak Bay and Potomack River were spoken of as the destination of this detachment,—but he was of opinion that it was intended as a reinforcement to New York. Horses were laid for the speedy communication of intelligence and an officer was to be sent with the acc't of the Fleets sailing.

August 7th Urged Governor Greene of Rhode Island to keep up the number of militia required of that state at Newport, and to have such arrangements made of the rest as to give instant and effectual support to that post, and the shipping in the harbour in case anything should be enterprised against the latter upon the arrival of Rodney: who, with the British fleet, is said to be expected at New York, and in conjunction with the troops which are embarked in Virginia and their own marines are sufficient to create alarms.

August 8th. The light company of the 2nd York Regiment (the first having been down some days) having joined the army were formed with two companies of York levies into a Battery under the command of Lieut. Col^o Hamilton and Major Fish, and placed under the orders of Col^o Scammell as part of the light troops of the army.

August 9th. A letter from the Marquis de la Fayette of the 30th ult^o reports that the embarkation in Hampton Road still remained there—that there were 30 ships full of troops, chiefly red coats in the fleet—that eight or ten other vessels (Brigs) had cavalry on board—that the winds had been extremely favorable, notwithstanding which they still lay at anchor, and that the *Charon* and several other frigates (some said seven) were with them as an escort; the troops which he now speaks of as composing the detachment are the Light Infantry—Queen's Rangers—and he thinks the British and two German Regiments. No mention of the Guards as in his former acc't.

August 10. Ordered the first York, and Hazens Regiments immediately to this place from West Point. The Invalids having got in both from Philadelphia and Boston—and more militia got in from Connecticut, as also some from Massachusetts Bay, giving with four companies of Courtlandt's Regiment in addition to the detachment left there upon the march of the army, perfect security to the posts.

August 11th. Robert Morris Esq^r, Superintendent of Finance, and Rich^d Peters Esq^r, a member of the Board of War, arrived at camp to fix with me the number of men necessary for the next campaign, and to make the consequent arrangements for their establishment and support. A fleet consisting of about 20 sail, including 2 frigates and one or two prizes, arrived within the harbor of New York with German recruits to the amount—by Rivington—of 2880, but by other and better information to about 1500 sickly men.

August 12th. By accounts this day received from the Marquis de la Fayette it appeared that the transports in Hampton Road had stood up the Bay and came too at a distance of 15 miles—and in consequence he had commenced his march towards Fredericksburg. . . .

August 14th. Received dispatches from the Count de Barras announcing the intended departure of the Count de Grasse from Cape Francois with between 25 and 29 sail of the line, and 3200 land troops on the 3^d Instant for Chesapeake Bay and the anxiety of the latter to have everything in the most perfect readiness to commence our operations in the moment of his arrival, as he should be under a necessity from particular engagements with the Spaniards to be in the West Indies by the middle of October—at the same time intimating his (Barras's)

AN ENGLISHMAN'S POCKET NOTE BOOK IN 1828

WHAT HE SAW IN AMERICA

(Continued from page 512, vol. xix.)

December 9. A fine day, though rather close and oppressive. The agreeable information was announced this morning in the papers that a small vessel would positively sail for Vera Cruz on Sunday next. The said vessel is about 50 or 60 tons, with no accommodations deserving the name of cabin, and we understand there are already 14 or 15 passengers who go with us. So much for our prospect of comfort during a passage of 10 days, in a warm climate.

December 10. An exceedingly close and oppressive day. The thermometer at 80 in the shade; our manner of life here has become so monotonous and regular that the incidents of one day are scarcely varied from those of the other days of the week. We have seen everything in or near the town (New Orleans) and are now quite annoyed at the delay of the vessel which detains us here. I observed in walking through the streets several large rooms fitted out as slave markets, and generally filled with unhappy blacks, dressed up for the occasion. The men and women are ranged on opposite sides of the apartment, where they may traffic for human beings with the same indifference as purchasing a horse. New Orleans I conclude is a good market for this kind of human stock, brought down from different parts of the Union, and where they will always find a ready sale, as cultivation of sugar and cotton is daily extending along the banks of the Mississippi in which the black slave population is alone employed.

December 11. . . . We have taken our places on board the brig which sails from here to Vera Cruz. She is larger and has rather better accommodations than the small vessel we originally intended to go by. So heartily am I tired with this place that I would venture in any boat that was practicable.

December 12. . . . The Baron de Manginay called upon us to-day: we have made very few acquaintances here, with the exception of his family and a few gentlemen we met at dinner at his house. We do not regret it, as society, I am of opinion, is rather below par here, notwithstanding the favorable account his Highness of Saxe Weimar gave of it. His book is

altogether the most trumpery and uninteresting I ever read. The best account yet published of the Southern States is by an American Missionary of the name of Flint.

Dismissed my *man Friday*, whom I brought with me from Nevis. He has been for a long time past idle and careless. I procured a very good place for him as steward on board a ship at this port.

December 13. Another melting day: Equally oppressed by heat and ennui. I am endeavoring however to fill out the mornings until one o'clock in studying Spanish, in which language I flatter myself I have made some advances. Took an excursion into the country towards the north. Passed some beautiful green pastures near the river. They appeared dry and more elevated than the situation of the town. It would have been better for New Orleans had they built their town on this spot, where there is no stagnant water. This evening walked along the levee, where ships, and business of all sorts, have increased wonderfully since our arrival; it is quite a scene of confusion. We hear scarcely any language but French and Spanish. There is considerable trade carried on here with Havana.

December 14. . . . Sunday I observe is very indifferently kept, at least, according to our notions in England. All the shops are open, and business of all kinds pursued with the same eagerness as on other days. In the evening we observed two-thirds of the blacks drunk. In this moral town every 2nd house is what is here denominated a coffee-house, which is the commonest kind of spirit shop where any man may get drunk on whisky of the country for the small price of 2 cents. . . . The room in which this traffic is carried on is generally large, with a bar at the farther end ranged round with bottles and spirits of every description—the natural consequence of the cheapness of the article, and the universal taste and disposition for drunkenness, which is well exemplified, as I before said, in this town on Sunday.

December 15. A sudden change in the weather—the thermometer at 58 in the evening. . . . These sudden changes so common in all parts of the country, must be doubly injurious here, in a generally warm and relapsed climate. . . . Took a walk of 6 or 7 miles in the neighborhood, and met nothing new or worthy of remark. The vessel will not sail before the 17th. Our miseries are, however, coming to a close, and the prospect of release drawing near. We have no great reason to be satisfied with our quarters at the boarding house, where the dinners are execrably bad; and our only places of refuge are our bedrooms. The company, upwards of 30 persons, are so uninteresting that I have scarcely exchanged a word with a single person, unless an Englishman who is my

next neighbor at table, and who has resided here for years as a merchant. He has never left the town during that period, although at some seasons of the year he tells me he has known 40 or 50 persons die daily of the fever, out of a population, too, at that time, not exceeding 20,000. For persons not accustomed to the climate the chances of life are 2 to 1 against them during the sickly seasons, commencing generally in August and ending in November.

December 16. A fine bracing day. The intelligence of the vessel's sailing this evening was communicated to us at breakfast, to our infinite joy and satisfaction. On proposing to settle with my Spanish master, the high minded Castilian refused to take any money although I urged in the strongest manner. At 6 this evening we were all aboard, our party consisting of 16 persons in the cabin; men of all nations, speaking different languages—2 or 3 Spanish and Mexicans, French, English, Mexicans, Italian, and Sir William's Greek servant. At seven the steamboat took us in tow with another vessel lashed to her side. Notwithstanding this weight we proceeded down the river at 6 or 7 miles an hour. Our cabin being crowded, we slept on board the steamer, where we had better accommodations.

December 17. Early this morning we were at the mouth of the river upwards of 100 miles from New Orleans. The whole country as far as the eye could reach was a low swamp, without trees or cultivation, the river forcing its way by numerous channels into the sea. The land appeared scarcely above the level of the water; numberless trees deposited on the narrow strips of land, and the dark and heavy water of the river gave to the scene a desolate and melancholly appearance. Our spirits were however revived by a fine wind, which gave every promise of a short voyage. Having left our steamboat we were in 2 hours in the blue waters of the ocean. The wind strong with a high sea running, our fellow passengers of all nations were soon laid down with sea sickness. Eden and myself were the only persons who escaped this malady.

December 18. Wind still favorable: as it is impossible to keep a journal at sea with any success, and where the events of one day are so little varied from those of others, I shall compress the whole together until our arrival at Vera Cruz.

The wind continued most prosperous until the 21st, without any variation, and we were within 60 or 70 miles of our port. We were however destined to exemplify with others the truth of the old maxim "between the cup and the lip" etc. On this day a furious gale came on from the

north, most frequent and dangerous in the Mexican Gulf, where there are no ports to run for. Many of our passengers had anticipated with dread this wind called by distinction here *una nortesa*. We were near the shore, a low one unfortunately, and what the sailors call "iron bound" id est rocky. We were soon unable to carry sail, and as we had no place to run for, the vessel was left to the mercy of the waters and the wind. The sea next morning was most awful; the waves literally mountains high. The wind came like a wild wind; the sky veiled in thickest darkness, with occasional red gleams, extending over part of the horizon, sure indications of the continuance of the gale. All our party were dead sick but Eden and myself. . . . In this melancholly state we remained 32 hours. . . . The morning after the wind abated we discovered land, which by observation proved to be Campeachy, far to the south of our course. The Captain and all hands agreed that if the wind had continued only a few hours longer we must have been wrecked. . . .

Our provisions also began to grow short: indeed we had left New Orleans ill provided with everything, although our party was so large. The remainder of the voyage was a constant struggle against wind and current with scarcely anything to eat. As an instance we had one morning the flesh of a Porpoise for breakfast, caught the day before; which in spite of my good appetite I was unable to swallow. We were reduced to flour and water made into flat cakes, and scarcely warmed through, with molasses thrown over them.

I will not however continue the detail of our miseries and privations. . . . Our cabin was not larger than a good sized table. Suffice it to say that on the 31st, we reached the roadsted of Vera Cruz about 2 o'clock in the day. The Pilot who came aboard was the first harbinger of bad news, giving us an account of the massacre at Mexico, and the total anarchy in the republic. The civil authorities came on board soon after we anchored, and inquired minutely for our names, professions, country, etc., also passports. After the ceremony we were promised a permit to land that evening, which did not however arrive for Eden and myself—having no friends ashore. Many of the other passengers were more fortunate and to our infinite annoyance we were unnecessarily condemned to another night on board the vessel.

THE MOUND-BUILDERS WERE INDIANS

The following suggestions are presented as supplementary to Gen. Thruston's article in the May number of the *Magazine of American History*, entitled "Ancient Society in Tennessee; The Mound-Builders were Indians." The general view advanced by the writer is certainly warranted by the facts, and is in accordance with the results of the more recent explorations and the more careful reading of the old authorities.

The explorations of the Bureau of Ethnology have not only aided in lifting the veil of mystery which has so long enshrouded the mounds and other ancient works of our country, but have furnished indices to the particular tribes and peoples by whom many of these works were constructed. The idea entertained by many that the mound-builders of Ohio and Tennessee retreated southward, and were absorbed into the tribes of the Gulf States, seems to be negated by the testimony of the mounds. On the contrary, the facts justify us in concluding that the stone graves of Tennessee, and the mound groups with which they are connected, are the work of the Shawnees, and that the typical works of Ohio are attributable to the ancestors of the Cherokees. It would be impossible to present, in a single short article, the testimony necessary to complete the chain of evidence leading to this conclusion; nothing more, therefore, will be attempted here than to state very briefly the character of this evidence.

1st. It being admitted that some of the Gulf tribes, especially those of the Muskoki family, were mound-builders, there is no necessity of looking beyond the Indians for the authors of these ancient monuments.

2d. We are informed by history that the Delaware Indians formerly, and at the time when a portion of the Shawnees lived with them, were accustomed to bury their dead in box-shaped stone graves, precisely of the pattern of those found in middle Tennessee. Graves of this pattern are found at all points yet examined, where bodies of Shawnees formerly dwelt for any length of time; even those found in the region of the "Overhill towns" of the Cherokees in east Tennessee are attributable to a portion of this tribe, which history tells us left their home in Kentucky and went to the Cherokee country. The Illinois tribes, as well as the Delawares, buried in graves of this kind. These tribes are all closely related to each other—belonging, in fact, to one linguistic sub-family. In some of the graves of this type in southern Illinois, both in and out of mounds, have been found

stamped copper plates of a peculiar pattern. Similar plates have also been found in the stone graves of middle Tennessee and northern Georgia. Plates of this character have, so far, been obtained only in graves of this type—chiefly in mounds, but in a few instances in those known to be of Indian origin. Numerous other facts, which cannot be presented here, confirm the impression given by those mentioned, and leave little if any doubt on the mind that the Shawnees were the authors of the stone graves of Tennessee and the other ancient works connected with them.

3d. In these graves are found certain engraved shells, which are also found in the mounds of east Tennessee and western North Carolina, attributable, as shown in the *Magazine of American History* for May, 1884, to the Cherokees. Since the article alluded to was written, the explorations by the Bureau of Ethnology have furnished much additional evidence that the Cherokees were mound-builders. We have only space to note the following items of this evidence at present.

When they first became known to the whites, a large portion of the Cherokee tribe was located on the west side of the mountain (dividing North Carolina from Tennessee), along the banks of the Little Tennessee River, in what were then called the "Overhill towns." In order to keep these Indians under control, Fort Loudon was erected close by them, about the middle of the eighteenth century. The location of this fort is still marked by its remains. From the base of the mountains to where the Tennessee joins the Holston, which includes the entire valley occupied, the distance is not more than twenty-five or thirty miles, yet it is here we are to find all of these "Overhill towns," except one or two small ones, which were situated on Tellico Plains, in the south part of Blount County. These facts are mentioned in order to show the limited locality over which we have to search for these villages. The order in which they come along the river is known, also the side of the river on which they were situated, though the precise spot where each one stood appears to have been forgotten. Governor Ramsey, in his *Annals of Tennessee*, gives a map, marking the locality of each as nearly as possible from the information he obtained. He gives them in the following order, moving up the river eastward from its junction with the Holston—Tellico, Chota, Citico, Chilhoe, Tallahassee.

This region we have carefully explored, and have found at the only points where these villages could have been situated, groups of mounds, a group for each of the five villages mentioned, and a few others where isolated hamlets may have been situated. This coincidence of the location of the mounds and villages is, to say the least, very significant. But

there is another fact mentioned by Ramsey very important in this connection. Near the close of the eighteenth century, when the pioneers from North Carolina, following in the wake of Daniel Boone, were pouring over the mountains into the valley of the Holston, they were attacked by the Cherokees and a Mrs. Bean taken prisoner. She was carried to their sacred town of Chota, which is the second of the series in the order given above. Here she was condemned to death, and, as we are informed by Ramsey, was taken by them to the top of *the mound* to be burned, but her life was saved by the female who at that time held the office known among them as the "Pretty Woman."

During the explorations carried on by the Bureau of Ethnology, a large mound of the group supposed to correspond with Chota, being excavated, was found to contain basin-shaped beds of burnt clay. In the centre of several of these were the remains of a stake which, standing in the centre of the bed, had burned down to the surface. About these were ashes and fragments of burned human bones. This seems to be confirmatory of Ramsey's statement, or, at least, agrees in a remarkable manner with the Cherokee custom which his statement implies. In this mound were found over ninety skeletons, and, with one, that of a child, and not an intrusive burial, four little copper bells—hawk's bells—a kind of toy very freely distributed by the early Spanish explorers.

These basin-shaped clay hearths, which are so frequent in this section of Tennessee, are probably an outgrowth of the so-called clay "altars" of the Ohio mounds, and, if so, give us a reasonable explanation of the use of these things which have so long puzzled antiquarians, viz., that they were places for torturing and burning prisoners of war, the principal sacrifices Indians were accustomed to make.

Now it is quite certain that if the Cherokees were the builders of the mounds of Ohio, when driven southward they fled up the valley of the Great Kanawha. Moreover, this corresponds precisely with their traditions. It so happens that in this valley, near Charleston, is an extensive group of mounds, circles, squares, etc. These have been carefully explored by the agents of the Bureau of Ethnology, and in them were found the things which form the intermediate step between those of the Ohio mounds and mounds of east Tennessee and western North Carolina. Here under a large mound were discovered little bee-hive vaults similar to those found in the North Carolina mounds;* here were also discovered both the clay altars, like those in the Ohio mounds and the basin-shaped clay hearths of the Tennessee mounds, the latter apparently taking the place

* *Am. Naturalist*, vol. 18 (1884), pp. 232-240.

of the former. Here was also found the transition form of the stone-pipe, between the typical monitor pipe of Ohio and the comparatively modern Cherokee pipe.

This will suffice to indicate the character of the testimony referred to, but the full force of it cannot be seen or thoroughly understood until it has been examined in detail. It is only then that one can appreciate the numerous interlacing lines and threads which can only be explained and traced upon the conclusion here advanced, to wit, that the Tallegwi of tradition, the builders of the typical ancient works of Ohio, and the *Chellekees* (Cherokees) are one people.

Although the evidence leads to the conclusion that the typical works of Ohio, the great circles and squares, the lines of parallels and the "altar mounds," are to be attributed to the Cherokees, it also indicates that some three or four or more different mound-building tribes have inhabited the state in the past. The walls and other remains of Cuyahoga County, and other northern sections of the state, are so like those of New York, that we must suppose them to be the work of some tribe of the Huron-Iroquois family; the stone graves of the eastern and central portion of the state are beyond question the work of the Delaware Indians; some of the mounds and graves of southern Ohio are attributable to the Shawnees, but there are other graves which are probably the burial places of a tribe which formerly had its home chiefly in Kentucky, but which has, through the fortunes of war, become extinct.

There is no evidence whatever that the builders of the Ohio works fled to the Gulf States and became incorporated into the tribes of that section. The remarkable differences between the pipes of the two sections are sufficient to negative this supposition. There is, in fact, no marked similarity between the earthworks of these two sections, although this has been asserted over and over.

Cyrus Thomas

THE PIONEER WORK OF JARED SPARKS

I

When a German professor begins a new course of lectures, his inaugural sometimes resembles the first work of a Turkish Sultan. He proceeds to put out of the way as many rivals as possible. This oriental method of clearing the field characterizes too many of our American literary enterprises, editorial and biographical. A spirit of destructive criticism has affected in recent years some of our American scholars, who, in the battle of books, see their own way to glory over the bodies of the wounded, and who tarry only to treat the dead with indignity. Such conduct is unworthy of our age. The first duty of a modern critic is to recognize the services which his predecessors have actually rendered. In such recognition he should estimate men and books by relative rather than by absolute standards. What folly it would be for Americans now reviewing a completed century in the history of Ohio to condemn the work of the pioneers, to ridicule log-huts, and to scoff at rudimentary laws! Such foundations were the beginning of all that now is in the great Northwest.

In judging the work of Jared Sparks, the modern critic should be no less fair and honest than is the common man in judging the work of his ancestors, who have a right to be viewed in the light and circumstances of their times. In a careful review of the life and literary labors of Jared Sparks, the writer, who now has in temporary keeping the private papers of this historian, has reached the conviction that this man's work should be regarded with honor and veneration as that of an historical pioneer. This is a true point of view which the younger generation of students of American history should take and hold. Without the preliminary labors of Jared Sparks, who was the first professor of history that Harvard College ever had, the present interest and enthusiasm for historical studies would not have been so early awakened. He was the first academic lecturer upon American history, and his manuscript lectures, now before me, are open pages of original research undertaken in days before historical investigation was dreamed of in other American colleges. These are the days when men are writing of American statesmen, but Sparks began that kind of work in his contributions to American biography, from which the present generation of literary men, "in slippered ease," will continue to appropriate facts and mate-

rials, as did Washington Irving from Sparks' *Life and Writings of Washington*, without sufficient recognition of the original pioneer. Sparks' collection of the letters of Washington and of his correspondents remains to this day one of the chief original sources of the history of the revolutionary and early constitutional periods. The first investigations in history at the Johns Hopkins University in 1876 were based upon the labors of Sparks. His work was itself originally made possible by the relation of Baltimore to the city of Washington.

It would be interesting to trace Sparks' career as a Unitarian clergyman, as a chaplain of Congress, collator of Washington's manuscripts, biographer, historian, editor and owner of the *North American Review*, professor and president of Harvard College; but, in this connection, the writer would merely indicate what students owe to the labors of this historical pioneer. He traveled through this country from north to south again and again, collecting historical manuscripts. He visited every state capital in the Old Thirteen and explored their archives. He interviewed, wherever he could find them, survivors of the Revolution and of Washington's administration. Sparks' manuscript journals are full of interesting reminiscences and recorded conversations with Jefferson, Madison, and other great men, which will one day be published. There is the fullest evidence of the infinite pains taken by Jared Sparks to collect original and authentic materials for American history. He spent a year in the state paper offices of London and Paris examining manuscripts bearing upon the history of the American Revolution and obtaining authentic copies of important documents. The manuscript collection of original materials for American diplomatic history made by Jared Sparks and now the property of Harvard College has been recently catalogued by Mr. Justin Winsor, in a bulletin issued by the Harvard College library. This collection is in itself a lasting monument to Sparks' industry and conscientious devotion to historical truth.

II

The recent criticisms of Mr. Sparks' method of editing the writings of Washington, and Lord Mahon's early charges, which were either withdrawn or gradually modified, originated in a total misunderstanding of certain important facts in Sparks' editorial situation. (1) There were already in existence different texts of Washington's own letters. In a private letter to Mr. J. Carson Brevoort, Mr. Sparks thus explains the fact: "It was Washington's habit first to write a draft of a letter, and in transcribing it he frequently altered words and phrases without inserting the alterations

in the draft. These changes are almost always merely verbal, without affecting the sense or the substance. The drafts were laid aside and copied from time to time into the letter-books. Hence the copies preserved by him differ in these particulars from the originals sent to his correspondents. Instances of this kind occur in a very large number of Washington's familiar letters. In his official correspondence there is generally an exact correspondence between the copies in the letter-books and the originals." In collecting the private correspondence of Washington, Sparks was often driven to the use of the letter-books, although he always used the revised letters that were actually sent when he was so fortunate as to recover them or to get copies.

(2) Washington's letter-books were themselves copies of original first drafts, and Sparks found in many cases that the work was evidently that of "incompetent or very careless transcribers." He says: "Gross blunders constantly occur, which not infrequently destroy the sense, and which never could have existed in the original drafts." The editor of Washington's writing was, in short, in much the same situation as were the early editors of ancient texts, which had been badly corrupted by monkish copyists. Like these editors Sparks attempted certain conjectures, a course not without its dangers but one which German philologists have followed down to the present day.

Mr. Sparks distinctly says that he allowed his sense of editorial duty "to extend only to verbal and grammatical mistakes or inaccuracies, maintaining a scrupulous caution that the author's meaning and purpose should thereby in no degree be changed or affected." Mr. Sparks felt that, as editor, he was conscientiously bound to present Washington's unrevised letters, copied by careless hands and never originally intended for publication, in at least such form as the obvious sense and construction demanded. He may have erred upon the side of making Washington more of a grammarian and a better speller than he really was; but the situation required some discretion. It seemed unjust to make Washington responsible for the manifest sins of a copyist. No modern literary man would like to be judged for the sins of his type-writer or of a short-hand reporter.

(3) Mr. Sparks felt himself justified in some revision of Washington's rough drafts by the example set by Washington himself, who, for future publication or historical use, had begun to retouch his own official correspondence during the period of the French war and the American Revolution. Copies of this correspondence had been kept on loose sheets roughly stitched together. Washington revised the whole mass, making

numerous changes, erasures, and interlineations in almost every letter, and caused the whole to be copied into bound volumes. What was Sparks to do in this editorial predicament? An attempt to restore the original text before Washington began to correct it would have led to endless embarrassments and perplexities. Loyalty to Washington's own good judgment of what he meant to say led Mr. Sparks to give the great truth-teller the benefit of his own authority. And yet the letters sent out by Washington during the above periods of correspondence certainly differed in many verbal respects from the copies which he had revised with his own hand. Mr. Sparks had no means of recovering and collating all these letters, although he well knew that they might be discovered in after-time and reveal striking discrepancies as compared with Washington's own revised version. This is precisely what has happened in various instances in these critical modern days. It is but fair to Mr. Sparks to say that he anticipated such discoveries, and clearly explained the facts for which he is now held responsible. Mr. Sparks made the best he could of an embarrassing editorial situation. If there is any blame to be attached to the revision of Washington's letters, it is quite as much the fault of Washington himself as of his conscientious editor.

(4) Mr. Sparks was severely criticised by Lord Mahon for alleged additions and omissions in his treatment of Washington's writings. The former charge Lord Mahon speedily withdrew, for, in the one case in point, Sparks was able to show that the alleged "addition" was actually to be found in Washington's original letter to Joseph Reed and had been carelessly omitted by the transcriber in preparing the text of the same for the *Life of Reed* which Lord Mahon used as a standard of comparison. The charge of omissions from Washington's text Lord Mahon continued to maintain, although he was altogether wrong as to Mr. Sparks' motives, as could be shown in every specific detail. Here again has arisen an utter misconception of Sparks' editorial situation. He had undertaken to edit in twelve volumes a convenient and popular collection of Washington's more important writings. He had materials enough for forty volumes, but no editor or publisher in the world would have dared in those days to undertake such an encyclopædic edition. Guizot reduced Sparks' Washington by discreet elimination to six volumes, and the German Von Raumer, equally wise in his generation, reduced the work to two volumes. A London editor thought two volumes of Washington's writing, quite enough for a British public. Mr. Sparks knew exactly what he was doing for his countrymen. He says: "I am certainly safe in saying that more than two-thirds of the whole collection of manuscripts were necessarily

omitted, in consequence of the limited extent to which it was proposed to carry the work." Mr. Sparks had no idea that what he saw fit to omit would be lost to the world. He even suggested that "such of the large mass of papers still unprinted as have any interest for the public would be brought out at some future time."

In his choice of materials Mr. Sparks was guided by a few simple principles which he himself describes in his preface. He endeavored to select such things as had a permanent historical value, and such as illustrated the personal character of Washington. Much of the latter's correspondence was full of mere repetitions, for Washington sometimes had occasion to write to different persons upon the same subject. Mr. Sparks tried always to select the best letter of a series, and to supplement it by judicious selections from other letters without giving re-statements of the very same ideas. In every case where Lord Mahon charged Mr. Sparks with omissions from specific letters, it can be shown that parallel passages are to be found elsewhere and within a few pages. In fact Lord Mahon was finally so well satisfied with Mr. Sparks' explanations that the two men came to a cordial understanding, and the English historian entertained the American with the most distinguished courtesy upon his final visit to England in 1857.

Modern methods of editorial work are becoming more and more exacting, but it is perfectly true that during the four years' progress of the writings of Washington through the press, no friendly or unfriendly critic ever suggested that the editorial principles of Mr. Sparks, clearly and frankly stated in his preface, were in any way incorrect or defective. As Mr. Sparks himself afterward said, "It must be evident that I could have no other motive than that of executing the work in such a manner as would be approved by an enlightened public opinion." It is by this relative but ever progressive standard of judgment that we must estimate the pioneer work of Jared Sparks.

In a paper read before the American Historical Association, at its meeting in Boston, Judge Mellen Chamberlain, of the Boston Public Library, has pronounced the following just verdict concerning the services of Jared Sparks to American history: "Sparks was a careful investigator, as any one finds who enters fields which he has reaped with expectation of profitable gleaning; but if to learn his methods and to catch his spirit, no time so spent ought to be regarded as time lost. An American in every fibre of his constitution, Sparks believed in the justice of the Revolutionary cause, and was loyal to the memory of those whose lives he wrote; but he never exalted his heroes by belittling their associates, or

by maligning their opponents. He placed the American cause in the most favorable light, and did not indulge in that urbane condescension toward opponents which sometimes marks the meritorious work of Lord Mahon, and he never imperiled his case as Lecky, an abler writer than Lord Mahon, sometimes has done by inattention to facts essential to its support. Nor, on the other hand, did Sparks conceal ugly facts,* or change their import by artful and disingenuous arrangement of them. He arrayed all the forces, friendly or hostile, although, as it sometimes happened, his flank was turned, or his front disordered by mutinous auxiliaries which he had brought into the field. History was regarded by Sparks, as it ought to be by every one, as the record of impartial judgment concerning the motives and conduct of men, of parties, and of nations, set forth in their best light; and he was incapable of attempting to pervert that judgment by doubtful testimony, or by unscrupulous advocacy, which represents one party as altogether wise and patriotic, and the other as altogether unwise and malignant,—an attempt which must ultimately fail, since it finds no support in the nature of man, in intelligent observation, or in common sense. He had a healthy contempt for demagogues—historical demagogues in particular—as corruptors of youth."

H. B. Adams

* "Lord Mahon charged him with doing so, but I think Sparks' vindication of his integrity is complete. The strongest case against him is that of suppressing Washington's reiteration of an opinion unfavorable to New England. There is no doubt that Washington entertained such an opinion. That constitutes an historical fact; but if he has recorded that opinion in a letter to Brown, does it make any more a fact that he has also recorded it in letters to Jones and Robinson? Sparks gives the first record, but to save space omits the paragraphs in which similar opinions are given in letters to two other correspondents. That, I think, states the case fairly. It may be said that Sparks should have given all such passages, or indicated their omission by stars or otherwise. Why those opinions more than others? To have given a résumé of all omitted passages would have swelled his volumes unduly. If proper editing would require such notice of repetitious passages, why not, on the same grounds, the omission of all repetitious or unimportant letters? It may be admitted, however, that Sparks' editorial rules are not those now in vogue; but in fairness it ought not to be forgotten that in dealing with such a mass as the Washington papers, Sparks was confronted with a new and very difficult problem."

NOTES

LORD ELLENBOROUGH AND THE BANDBOXES—Lord Ellenborough, Chief Justice of England, was once about to go on the circuit, when Lady Ellenborough said she should like to accompany him. He replied that he had no objections provided she did not encumber the carriage with bandboxes, which were his utter abhorrence. During the first day's journey Lord Ellenborough, happening to stretch his legs, struck his foot against something below the seat. He discovered that it was a bandbox. Up went the window, and out went the bandbox. The coachman stopped, and the footman thinking that the bandbox had tumbled out of the window by some extraordinary chance, was going to pick it up, when Lord Ellenborough furiously called out, "drive on!" The bandbox accordingly was left by the ditch side. Having reached the country town where he was to officiate as judge, Lord Ellenborough proceeded to array himself for his appearance in the court-house. "Now," said he, "where's my wig?" "My lord," replied his attendant, "it was thrown out of the carriage window."—*Table Talk of Samuel Rogers.*

CHARLES GRATIOT—One of the early settlers of Wisconsin was Henry Gratiot, born in St. Louis, April 12, 1789, eighteen days before Washington's inauguration as first President of the United States. "His father Charles Gratiot, was a remarkable man in his day and generation, and had a history of almost romantic interest; his parents were Huguenots, of La Rochelle, in France,

and were driven from their native land by the savage act of Louis XIV., revoking the edict of Nantes. They fled to Switzerland, and took up their residence in Lausanne, where Charles Gratiot was born in 1753." This lad was sent to London to receive a mercantile education, and developed an extraordinary capacity for business. He came to America while yet quite young, and traveled through the vast region of the Northwest. With a trading post at Mackinaw, he penetrated every part of the country where Frenchmen and Indians were to be found, for the purposes of trade. About 1770 he visited Green Bay and Prairie du Chien; and in 1793 made the trip from St. Louis to Montreal in a canoe—by way of the Mississippi to the Wisconsin, thence to Green Bay, from there to Mackinaw, and down the lakes to Montreal—"a wonderful trip," writes Hon. E. B. Washburne in the tenth volume of the *Wisconsin Historical Collections*, "and one hard to conceive of at this day." Charles Gratiot had four sons—Charles, the professional engineer, Henry, John P. B., and Paul—all of whom became useful and important members of the great American household, and their families are scattered through the Western States.

LA ROCHELLE, FRANCE—The descendants of the Huguenots who may visit La Rochelle at the present day will find a city possessing not a few of the characteristic features that were familiar to the generation that fled from it two centuries ago. The streets, for the most part nar-

row and tortuous, derive a quaint and sombre aspect from the long porches or arcades that border them on either side. Opening from this covered side-walk, the entrance to a Huguenot dwelling of the olden time was often distinguishable by some pious inscription, frequently a text of Scripture, or a verse from Marot's psalms, to be read over the door-way. Some of these inscriptions are still legible. Small and severely plain, this door-way led often to a dwelling that abounded with evidences of wealth and taste; the upper stories of which were ornamented, both within and without, by rich carvings in wood and stone. Approached from the sea, La Rochelle presents much the same appearance as of old; with its outer and inner port separated by a narrow passage, on either side of which rise the massive forts of Saint Nicholas and La Chaine. A remnant of the ancient wall of the city connects the latter structure with the yet loftier tower of La Lanterne, originally built to serve as a beacon for ships seeking the harbor, but used in times of persecution as a prison of state. . . . It was among these scenes and associations that the young Bernons, Faneuils, Bandonins, Allaires, Manigaults—grew up. The streets and quays where the great commercial houses still maintained themselves, though in diminished state, had witnessed many events of stirring interest. The house was yet standing where Henry of Navarre, a boy of fifteen, resided, when he came with his mother, Jeanne d'Albert, at the beginning of the third civil war, to take refuge in the city that had just espoused the Protestant cause. The house of Guiton, the heroic

mayor during the siege of 1628, was still pointed out. Many of the localities possessing such historic interest were associated also with the personal and domestic history of our Huguenots. One of the houses owned by Pierre Jay, at the time of his escape from France, was situated hard by the Lanterne tower.—*History of the Huguenot Emigration to America*, by Charles W. Baird, D. D.

AUTOGRAPH OF BUTTON GWINNETT—Mr. Lyman C. Draper tells us in a very interesting paper read before the Wisconsin Historical Society on the "Autographs of the Signers," a curious anecdote of how an accident furnished what the most patient inquiry had failed to supply. Mr. Israel K. Tefft of Savannah was visiting a friend near the city, and while walking on the lawn a paper was blown across his path which he picked up in a listless manner. It proved to be the rare autograph of a Georgia signer of the Declaration of Independence, the only one he then lacked to complete his set, and of which he had long been in active pursuit. When his business was finished with his friend he was asked to name his fee. "Nothing," said Mr. Tefft, "if you will allow me to keep this piece of paper which I have found in your lawn." The owner quickly assented, remarking that the writer once occupied the place, and his servants had recently been clearing an old garret of papers, and throwing them away. The autograph thus found "was that of Button Gwinnett, the rarest, not only of the Georgia signers, but, save Lynch, of the whole immortal fifty-six."

QUERIES

AMARACA—*Editor Magazine of American History*: Will you or some of your illustrious readers confer a priceless favor upon the world by settling the interesting questions as to how and why the name America was given to the western continent? Has not the fact been pretty clearly established that Columbus discovered a remote country that had been for ages called *Amaraca* (variously spelled) by its heathen inhabitants? Was not the similarity of names the only basis for the magnificent Amerigo Vespucci fable? Will not antiquarian research disclose to us proofs without number that the Spaniards called the new world by the same sacred name

which they found in use among the natives?
E. E. E.

Editor Magazine of American History: Can you or any one of your many readers name the ancestors of Benedict Arnold (the traitor), back to the first settler in America?

CHANDLER H. SMITH
MADISON, FLORIDA.

JUAN MANUEL—*Editor Magazine of American History*: Was Juan Manuel de Salcedo ever Governor of the Province of Louisiana? If so, in what years?

RAY HEMPSTEAD
LITTLE ROCK, ARKANSAS.

REPLIES

BISHOP LEAMING [xix. 439]—*Editor Magazine of American History*: Rev. Jeremiah Leaming was born in Middletown, Connecticut, in 1717. His father's name was Jeremiah, and his mother's Abigail Turner. They were married by a justice of the peace July 4, 1716, and he was baptized May 12, 1717, by Nathaniel Chauncey, pastor of the first Congregational Church in Durham. His grandfather, Christopher Leaming, came from England (of a York family), landed at Boston about 1660, and became a resident of Southampton, Long Island, in 1663. He married Esther Burnett, and had a family of children.

Whales becoming scarce in Peconic Bay (he followed whalefishing) he, with Shamgar Hand, founded the colony of Cape May, New Jersey. He took his

eldest son, Thomas, with him, and was followed by Aaron, his second son, some time after. The wife and the remaining children lived for a time at Southampton and at Easthampton. But the family, or part of the family, removed to Middletown, Connecticut, which became their home. Aaron, a younger brother of Jeremiah, married Sarah Grant, and had a large family of children from whom the writer is descended.

Jeremiah Leaming graduated at Yale College in 1745, and immediately connected himself with the Church of England. Rev. Dr. Johnson, many years rector of the Church at Stratford, and afterward president of King's College, New York, was his personal friend, as was also the second Dr. Johnson, also president of the same college, renamed

Columbia after the Revolution. From Columbia Mr. Leaming received the degree of D D.

Dr. Leaming was a forcible writer on various subjects connected with his ministerial office, but was especially a controversialist, upholding the authority, doctrine and form of worship of the Church of England. He was the first choice of the clergy of Connecticut to be their bishop after peace was declared, but declined on account of lameness, caused by being compelled to sleep on a stone floor without a bed at the time of his imprisonment.

His ever fast friend, Rev. Samuel Seabury, was chosen in his stead, and by his request, as the late Rev. Dr. Samuel Seabury informed me.

As a good churchman, Dr. Leaming, in obedience to his ordination vows, upheld the authority of the king as head of the Church, and prayed for the king and the royal family in the church services, and suffered persecution therefor. But when the independence of the colonies was acknowledged by the mother country, he supported the new government, and composed the first prayer for Congress, sent in a letter to Bishop Seabury, which is now in my possession.

When Bishop Seabury returned from Scotland to Connecticut after his consecration, the clergy and laity assembled to welcome him, and Dr. Leaming, who presided, made the address. To the clergy he said: "I cannot forbear to mention (and I do it with pleasure) the conduct of the Civil Rulers of this State respecting our church; they have not only manifested a spirit of benevolence, but an exalted Christian charity, for

which our gratitude is due, and shall be paid in obeying all their just demands." And to the laity, he said: "The principal part of the religion we teach is love. For the soul which animates societies, civil or sacred, is the great and generous spirit of charity; that violates no compacts, that raises no commotions, that interrupts no good man's peace, that assaults no innocent man's person, that invades no man's property, that grinds no poor man's face, that envies no man, that supplants no man, that submits private convenience to public utility, and recommends those duties to your practice that will insure an infinite reward." Dr. Leaming was minister at Norwalk twenty-one years, afterward at Stratford many years, and when infirmities of age had disabled him he retired to New Haven and to a friend's house, where, blind and lame, he lived to the advanced age of eighty-seven, and died in 1804.

JAMES R. LEAMING, M. D.

18 West 38th St., New York City.

ELIZABETH CANNING [xix. 438]—In November, 1756, Elizabeth Canning married John Treat, of Wethersfield, Connecticut, a great-grandson of Richard Treat, who came to Wethersfield about 1637 from England. They had three sons, and one daughter who died unmarried. One of the sons was a Revolutionary soldier. Elizabeth Canning Treat died in June, 1773, according to a contemporary newspaper. Many of her descendants still live in Connecticut. A genealogy of the Treat family is in process of preparation. J. H. T.

LAWRENCE, MASS.

OLD MR. VAN BERKEL AND HIS DAUGHTER [xix. 111]—A few years ago I learned some particulars respecting Mr. Berkel, the first ambassador from Holland to this country, from the late Mrs. Commodore Salter, of Elizabeth, New Jersey. Her father was Colonel Armstrong, a former merchant in New York, and, during the Revolution, an officer in the British army, having been a neighbor of Mr. Van Berkel when he lived in New York, as also of Mr. William Constable. [See xix. 104]—In 1796, Mr. Van Berkel removed to Newark, New Jersey, where he died Dec. 27, 1800. His credentials presented to our government declared him to be "a gentleman of distinction, whose personal qualifications are in great repute among us, the Hon. Mr. Peter John Van Berkel, burgo-master of the city of Rotterdam, and a deputy in our Assembly." Although mentioned in Washington's Journal as "*old* Mr. Van Berkel," he was not older than Washington himself, and he was doubtless so called to distinguish him from his son, then in America, and, as understood from Mrs. Salter, was subsequently appointed governor-general of Batavia, East Indies. Van Berkel's daughter married Col. Christian Sennf. His name appears in Mr. Van Berkel's will, probated Jan. 1, 1801, who, with his wife, left this country shortly after that date for the West Indies. The wife of Mr. Van Berkel never came to this country, remaining in Rotterdam. Mrs. Salter had a good portrait of her. One of our United States ministers at the Hague, on his examination of the district archives, ascertained that Mr. Van Berkel had done us good service during the early stage of the Revolutionary war in negotiating a loan in Hol-

land through Mr. Adams in a time of great public exigency. WM. HALL
NEW YORK CITY.

DID WASHINGTON EAT GREEN PEAS WITH A KNIFE? [xvi. 500]—A writer in the *Cleveland Leader* has recently discussed the extraordinary manner in which Washington was abused while holding public office. He closes his remarks with the following paragraph, seemingly oblivious of the fact that there were no "White House" dinners to gossip about in Washington's time.

"Speaking of Washington, I see that some of the goody-good newspapers of the country are very indignant at the statement in Quackenbos' history that Washington at one time ate peas with a knife. I do not doubt but that the statement is true. The whole literary United States at the time of Washington, however, seemed to be a mutual admiration society, and there is little unfavorable gossip about the White House dinners. I found the other day, however, Maclay's diary, giving his experiences during his term as a Senator of the United States when Washington was first President. Maclay dined with Washington a number of times, and scattered through his diary are little bits of gossip about these dinners. At two of them he describes Washington as amusing himself during all the dinner by playing the devil's tattoo upon the table with his fork. He says, speaking of one of these dinners: 'The President kept a fork in his hand when the cloth was taken away, I thought for the purpose of picking nuts. He ate no nuts, but played with the fork, striking on the edge of the table with it.'"

PHILADELPHIA, PA.

H. H. W.

SOCIETIES

NEW YORK HISTORICAL SOCIETY—At a stated meeting of the society, held on the evening of the 5th of June, the president, Mr. King, occupied the chair. The paper of the evening, written by Mrs. Burton N. Harrison, entitled, "The Fairfaxes of America," was read by Professor Charles Carroll, M.D. Aside from the interest attaching to Mrs. Harrison's paper as a most picturesque account of a family historic both in England and America, the close intimacy of the Washingtons with the proprietors of Greenway Court was illustrated by extracts from their mutual correspondents and tradition which the author—herself a descendant of the Fairfaxes—had heard from intimate sources.

The Rev. Robert Collyer, in moving a vote of thanks, expressed the hope that the country of their adoption would continue to feel in the future as in the past the influence of the good and brave race.

The president stated for the information of the society that \$105,000 had been subscribed to the Building Fund, and urged the personal efforts of the members to secure before the next meeting in October the remaining \$45,000 necessary to complete the amount required.

THE ONEIDA HISTORICAL SOCIETY—The regular meeting of this society was held May 28, at its rooms in Utica, New York. In the absence of the president, Hon. John F. Seymour, third vice-president, presided. Gen. C. W. Darling, corresponding secretary, read a list of valuable historical articles contributed by

different persons and societies, and the thanks of the society were tendered the givers. Among the gifts was an oil painting in gilt frame 6x5, representing the landing of the Pilgrim fathers. This painting is a copy from Sargent's picture, formerly in the Boston Athenæum, and was presented by Mrs. John P. Gray of Utica. The committee in charge of the New Hartford centennial celebration (to occur in June next) reported that invitations were now being sent out. Gen. James Grant Wilson of New York, and Professor John Fiske of Cambridge, Massachusetts, were elected corresponding members. Rev. A. P. Brigham read a paper on the Geological History of Oneida County, the subject being treated in a masterly manner.

THE TENNESSEE HISTORICAL SOCIETY held its annual meeting May 15, 1888, in Nashville. Colonel J. George Harris was called to the chair by Judge Lea, and presided during the evening.

The Hon. Theodore Roosevelt of New York City was elected an honorary member.

Mrs. Martha J. Lamb, of New York City, editor of the *Magazine of American History* and author of the *History of the City of New York*, was elected an honorary member.

Many gifts were acknowledged and letters read. The following officers were then elected for the ensuing year: Hon. John M. Lea, president; Hon. James D. Porter, Anson Nelson, Col. W. A. Henderson, vice-presidents; John M. Bass, recording secretary; General G.

P. Thruston, corresponding secretary; Joseph S. Carels, treasurer and librarian. Judge Lea, who had insisted upon giving up the office of president, an office he has filled for sixteen years, was overwhelmingly elected by a unanimous vote while trying to decline. The spontaneous outburst in his favor was too great to allow him to surrender the exalted position of the head of this important and widely known society, which is doing so much good for the state and the country.

THE HISTORICAL SOCIETY OF NORTH CAROLINA was reorganized at Chapel Hill, North Carolina, the seat of the State University, Oct. 26, 1887. The following officers were elected for the current year: President, Kemp P. Battle, LL.D.; vice-president, A. W. Mangum, D.D.; honorary secretary, Prof. John F. Heitman; secretary and treasurer, Stephen B. Weeks; executive committee, K. P. Battle, A. W. Mangum, G. T. Winston, Stephen B. Weeks, Claudius Dockery.

The society has since held four meetings, and there seems to be a gradual awakening all over the state to the importance of historical study. The following is a partial list of the subjects discussed during the present session:

"The objection to the Federal Constitution in the North Carolina Convention of 1788," by President K. P. Battle; "The characters of John Dunn and Benjamin Boothe, the Tory lawyers of Rowan," by Prof. A. W. Mangum; "A sketch of dueling in North Carolina, and between North Carolinians," by Mr. Stephen B. Weeks; "A discussion of the characters of Governor Gabriel

Johnston and of his opponents," by Prof. G. T. Winston; "A criticism of the accepted historical opinions of Governor Johnston," by Mr. Claudius Dockery; "A Discussion of the conduct and Motives of the Regulators," by President Battle; "Capt. Wm. Moore's expedition against the Cherokees, with explanation of the route and localities," by Maj. J. W. Wilson. [The original report of Capt. Moore was contributed by Mrs. M. M. Chambers, of Morganton, from the papers of her ancestor, Col. Waightstill Avery.] "Humorous account of his election and experience as Major of the Battalion of Home Guards in 1864," by Major Wm. A. Smith; "History of the State of Franklin," by Prof. E. Alexander; "A history of the Young Men's Christian Association movement in North Carolina, 1857-1888," by Mr. Stephen B. Weeks.

The work of the society will now be done mainly by professors and students in the University. It is hoped the students thus trained will endeavor to foster the increasing interest in local history in North Carolina.

DEDHAM HISTORICAL SOCIETY—The annual meeting of this society was held March 7, the President, Henry O. Hildreth, giving a brief sketch of its history since its organization in 1859. Officers were elected for the ensuing year as follows: Don Gleason Hill, president; Erastus Worthington, vice-president; Julius H. Tuttle, corresponding secretary; John L. Wakefield, recording secretary; Henry G. Guild, treasurer; John Burdakin, librarian.

HISTORIC AND SOCIAL JOTTINGS

The origin of Decoration Day was, in 1879, very clearly given in an oration by Chauncey M. Depew, in the following words: "When the war was over, in the South, where, under warmer skies and with more poetic temperament, symbols and emblems are better understood than in the practical North, the widows, mothers and children of the Confederate dead went out and strewed their graves with flowers, and at many places the women scattered them impartially also over the unknown and unmarked resting places of the Union soldiers. As the news of this touching tribute flashed over the North it roused, as nothing else could have done, national amity and love, and allayed sectional animosity and passion. It thrilled every household where there was a vacant chair by the fireside and an aching void in the heart for a lost hero whose remains had never been found, old wounds broke out afresh, and in a mingled tempest of grief and joy the family cried, "Maybe it was our darling." Thus out of sorrows common alike to the North and the South came this beautiful custom. But Decoration Day no longer belongs to those who mourn. It is the common privilege of us all, and will be celebrated as long as gratitude exists and flowers bloom."

In the great Christian conference, held at Washington in December last, representing millions of our most intelligent, far-sighted and thoughtful citizens, native and naturalized, "no opinion," says the Hon. John Jay, "was hailed with more perfect unanimity than the demonstration by President Eaton, late Commissioner of Education, that our prevailing illiteracy and ignorance, whether alien or domestic, unless corrected, purified and Americanized in the children by our common schools, will convert the suffrage itself into the most dangerous weapon with which the foes of American liberty who are now so desperately attacking our common school system, can undermine our press and our institutions, and overthrow our civil and religious freedom."

The friends of education throughout the country are becoming alive to the fact that common-school-bred American boys and girls have very little knowledge of what has happened on American soil. Thus every expedient to popularize the study of American history will be hailed with delight. The unintelligent memorizing of an array of dates, names and events, the significance of which is a dead language to the pupil, should speedily become obsolete. How can the history of a country, sometimes of the whole world, be crammed into one volume, and learned as is often the case in a single year, to advantage? If the American mind is empty of American history, ignorance will naturally be ascribed to incapacity. Misapprehension of American principles will imperil our American civilization, which has been pronounced "the farthest point in advance yet reached by any age or nation."

The study of American history has, unfortunately, been rendered distasteful to the growing youth of the country through the elimination of ideas from school lessons. For this the teachers are largely responsible. Books may be in fault, but the teacher should be educated before attempting to instruct a class. What benefit comes from the glib recitation (without halting or hesitating) of the whole line of kings and queens of England, if the bright pupil has no conception of what sort of beings they were, or what particular things they did? In American history much time is spent on the early Indian wars, and in a bewildering medley of hard words and queer names, without a glimmer of thought as to the meaning involved. We wish to have our rising men and women acquainted with our institutions, informed as to what has grown out of our early struggles with natives and foreigners, and not hopelessly ignorant of the successive processes by which our national life has been developed.

It is refreshing to note the spirited movement which, starting in Boston, and known as the Old South Work, has taken possession of Chicago and other Western cities. Those who have not given close attention to this will be surprised at the proportions the work has already assumed. It has provoked great enthusiasm where its purpose is best understood, which is a hopeful sign of the times. It is a commendable crusade in behalf of American history and Americanism, with intent to Americanize Americans and make them good citizens. We hail it as the harbinger of a complete revival of patriotism. The Old South Work in Boston was in the beginning, and for some years, almost wholly sustained by one noble woman, Mrs. Mary Hemenway, who is enthusiastically devoted to everything pertaining to American history. It was chiefly through her exertions that the Old South Meeting-House was preserved from destruction. She is believed to have given at least half of the two hundred thousand dollars required to save the historic structure.

Mr. Edwin D. Mead, who was deeply concerned in the Old South Work in Boston, has inaugurated a course of lectures in Chicago which is stimulating such popular interest in American history that thousands seeking tickets are denied for want of seats in the hall. In Madison, Wisconsin, a series of lectures have attracted much attention; indeed, no enterprise ever undertaken in Madison has proved more popular than this. The church where the lectures were given was crowded to overflowing, and two hundred, or more, every evening turned away for want of room. In Indianapolis, a course of similar lectures has been so eminently successful as to lead to similar efforts in other large towns in Indiana.

To write legibly would seem to be as much a fine art as to paint a picture properly. And yet how many fail to trace their own names upon the written page so that it is decipherable to a stranger without their printed card! We clip the following, on the same theme, from one of our exchanges: Some years ago, a magazine article in manuscript was passed around in an office in order that the title might be deciphered. The first expert made it "A Blight in Grain;" the second one, "A Flight in Spain;" the third, "A Night in Pain." It was referred back to the author, who printed it out "A Fight in Vain."

BOOK NOTICES

DISCOVERY OF THE NAME OF AMERICA. By THOMAS DE ST. BRIS. 8vo, paper, pp. 140. New York. American News Co.

The author introduces his monograph on the much vexed question of "America," as a name with an indirect reference to a more extended work on the same subject, but without giving its title, and we are obliged to admit that we are not acquainted with any such unabridged work. He says, moreover, in his introduction, that the discovery of the name in its original form was as unexpected to him as was the original discovery of the western continent by Columbus. The opening chapters of the work are devoted to a recapitulation of the early voyages of Columbus, Vesputii, Cabot and others, showing how they were all in search of India, and how slowly it dawned upon the old world that a new continent, or perhaps a very ancient one, had been found. The gist of the whole matter lies in the identification of Amaraca with our modern America, and very plausible reasons are given for assuming that its association with the Christian name of Vesputii Amerigo is erroneous. A map made up from the Mercator Atlas of 1541, and the "Codazzi Atlas, Venezuela" serves as a frontispiece, upon which appear the names Amaraca, Amarca, Andamarca, Amarioca, and the like, covering the southern portion of the Isthmus and the northern portion of South America.

There appears indeed to have been a great kingdom of "Cundin Amaraca" embracing a large part of what are now the United States of Colombia. It is recognized by Humboldt, and was probably second in importance only to Mexico. The existence of the native name need not be questioned, but M. de St. Bris is by no means the originator or discoverer of the fact. (See *Atlantic Monthly*, March, 1875, *Bulletin de la Société de Géographie de Paris*, June, 1875, and the *Nation*, April 10, 1884.)

According to Mr. Justin Winsor, Vesputii "was dead before his name was applied to the new discoveries on any published map," but M. de St. Bris reaches the conclusion that it was in fact the common name by which the new land was known considerably before that time (1512) and was officially recognized and adopted by the Spaniards prior to the death of Columbus in 1506. The arguments concerning the distorted spellings of Amerigo or Americus are too well known to be here recapitulated. Upon the whole, the theory set forth seems a not unreasonable solution of the question. If it had been the intention of the ruling sovereigns to name the new country after its discoverer, the choice of Spain would no doubt have been Columbus, and of England Cabot. (Let us be

duly thankful that we were not named Cabota or the like.) It is not at all likely that after honoring Columbus as the great discoverer, Charles I. of Spain would have placed an Italian's name on the new continent. In conclusion, we cannot but regret that the work was not edited by some one with a logical command of idiomatic English, as the argument would have been far more forcible if it had been more tersely formulated.

REPORT AND COLLECTIONS OF THE STATE HISTORICAL SOCIETY OF WISCONSIN, for the years 1883, 1884, 1885. Vol. X. With general index to Vols. I.-X. 8vo, pp. 558. Madison, Wisconsin. State Printers. 1888.

The labors of the Wisconsin Historical Society were commenced about thirty years ago with some fifty books only in their germ of a library, and without any pecuniary resources whatsoever. As we turn the leaves of the tenth volume of the Society's publications just received, we find in the introduction the following suggestive item from the pen of Lyman C. Draper, "We have (now) some one hundred and eighteen thousand books, newspaper files and pamphlets—a collection unequaled west of the Alleghanies—a gallery of portraits, and a rare collection of pre-historic and other curiosities, with a library performing a splendid work in behalf of our literary investigators." This record of progress is gratifying in the superlative degree, and should inspire younger institutions of a kindred character to perseverance and achievement. In the infancy of the society it was extremely difficult to arouse enthusiasm or secure historic materials. Now it appears that much of the early Wisconsin story has been brought out and thoroughly discussed and elucidated. The contents of Volume X, are varied and interesting. A paper on "Col. Henry Gratiot," one of the pioneers of Wisconsin, by Hon. E. B. Washburne, has all the interest of a romance. "Autographs of the Signers," by Lyman C. Draper, is a contribution of permanent value. The author says: "An autograph collection, in the ordinary acceptance of the term, should not be confounded with collections of historical manuscripts for purposes of public record and as materials for historic literature." The custom of collecting autographs began many centuries ago with noblemen and persons of taste and wealth. "As early as 1550 persons of quality took along with them elegant blank books for the signatures of eminent persons or valued friends. One of these albums preserved in the British

Museum bears date 1578. Many large autograph collections were formed in the sixteenth century, notably those in France, preserved in the French National Library." Among the numerous choice papers in this volume are "Early Wisconsin Exploration and Settlement," by Hon. James Sutherland; "Causes of the Black Hawk War," by Hon. Orlando Brown; "The Four-Lake Country—first white foot-prints there," by Professor James D. Butler; "Indian Campaign of 1832," by Captain Henry Smith; "Sketch of Hon. Andrew Proudfit," by Hon. Breese J. Stevens, and many others.

PAPERS OF THE NEW HAVEN COLONY HISTORICAL SOCIETY. Volume IV.

8vo, pp. 456. New Haven, 1888. Printed for the Society.

Among the interesting series of papers, we are specially attracted by Professor Dexter's graphic description of "New Haven in 1784." There is an element of romance about an old college town that is rarely found elsewhere. We can almost see the half-grown buttonwood and elm trees set out in 1759, two hundred and fifty of them, around the green, and the old three-storied gambrel-roofed college buildings, not far from the little wood cottage of the president, Rev. Dr. Ezra Stiles, one of the most learned Americans of this generation. We have given us in these pages a glimpse of domestic slavery in New Haven, and a suggestive extract from President Stiles's diary of December, 1783: "The constant annual importation of negroes into America and the West Indies is supposed to have been of late years about sixty thousand. Is it possible to think of this without horror?"

"The Voyage of the *Neptune* Around the World in 1796-99," from the diary of Ebenezer Townsend, Jr., is very pleasant reading; also "A Young Man's Journal of a Hundred Years Ago," both papers having been read before the society. There are several other papers of value in the collection, of which "Yale Graduates in Western Massachusetts," by Rev. Alpheus C. Hodges, and "Connecticut Boroughs," by Calvin H. Carter, are notable. The society, after supplying subscribers, will have a few copies of the volume for sale.

ABRAHAM LINCOLN. By NOAH BROOKS. 12mo, pp. 476. New York: G. P. Putnam's Sons.

Among the many who have undertaken to write the life of Abraham Lincoln, few are better equipped than the author of the present work. The intimate and trusted personal friend of Mr. Lincoln during the most important years of his

public life, he brings to his task a life-long experience as a writer and editor, and it would have been strange indeed if he had failed to make his history of exceptional value. Mr. Brooks has been particularly fortunate in writing books for the young, and for them he has prepared this biography. His acquaintance with Mr. Lincoln began in the Fremont campaign of 1856, and became more intimate and confidential from 1862 until the day of the assassination. He is, of course, indebted to the standard versions for the narrative of the early days in Illinois and Indiana. At an early stage of the work, however, he reaches the period of personal reminiscence, and though there is, if possible, too little of that quality in the book as a whole, considering the author's relations with the subject, the narrative moves with more life and the great events that transpired almost daily are depicted with more vivid colors. Mr. Brooks' estimate of Mr. Lincoln is that of a keen observer with, as is natural, a most friendly bias, and while it differs in no special way from the other estimates of his great and noble character, it is well calculated to impress the youthful reader with the fine type of patriotic Americanism of which he was the chief exponent. The younger generation of our Northern States know too little of comparatively recent history. Some of them, indeed, hardly know whether Lincoln was or was not a contemporary of Washington, or whether Grant became famous during the war for independence or some later struggle. This is not true of Southern children, who are early taught to honor the memory of their own local heroes. The present volume is well calculated to correct this deficiency in a most entertaining and agreeable way.

BRITONS AND MUSCOVITES, or Traits of

Two Empires. By CURTIS GUILD. 12mo. pp. 230. Boston: Lee & Shepard.

As editor of the *Boston Commercial Bulletin* the author is known to the literary world, and his two previous works, "Over the Ocean" and "Abroad Again," have introduced him to the book-reading public. The present work covers his observations in a journey through the most picturesque parts of England and through the less familiar, though no less picturesque regions of the great Russian empire. While studiously avoiding all guide-book models, he endeavors to give information that will be of service to future travelers. The reader will find the narrative of the traveler's experiences presented in a highly entertaining form and full of suggestions useful to those intending to visit the Czar's dominions.

BIBLIOTHECA JEFFERSONIANA. A list of books written by or relating to Thomas

Jefferson. By HAMILTON BULLOCK THOMP-
KINS. 8vo. pamphlet, pp. 187. New York
and London. 1827. G. P. Putnam's Sons.

In this work a very successful attempt has been made to bring together the titles of the books written or relating to Thomas Jefferson. The arrangement is alphabetical under the name of the author, when this is known, otherwise under the first word of the title, omitting particles. Initials follow some of the titles, indicating the public libraries in which the books may be found and consulted. It will prove a great convenience and a positive help to the student; therefore we notice with regret that only three hundred and fifty copies have been printed.

A NARRATIVE OF THE LEADING INCIDENTS OF THE ORGANIZATION OF THE FIRST POPULAR MOVEMENT IN VIRGINIA IN 1865 to re-establish Peaceful Relations between the Northern and Southern States, and of the subsequent efforts of the COMMITTEE OF NINE, IN 1869, to secure the Restoration of Virginia to the Union. By ALEXANDER H. H. STUART. 8vo. pamphlet, pp. 72. Richmond, Va., 1888.

The above title describes admirably the pamphlet before us, which has been carefully prepared at the suggestion and request of the Virginia Historical Society. The author has not aimed to write a full history of all that occurred in connection with the events of 1869, as he had not sufficient materials necessary for such a history; but he has very ably and concisely presented the leading facts and incidents in which he was an actor or witness, accompanied by documents which explain and verify them. He refers briefly to many events of importance prior to 1869, as no permanent record has heretofore been made of them, and they supply the link in the history of Virginia from the downfall of the Confederacy to the restoration of the state to the Union, and render the account that follows clearer and more satisfactory. The work is a valuable contribution to American history, and should form a part of the library of every scholar who takes an interest in affairs.

ORMSBY MACKNIGHT MITCHEL, ASTRONOMER AND GENERAL. A Biographical Narrative by his son, F. A. MITCHEL. Crown 8vo, pp. 392. Boston, 1887. Houghton, Mifflin & Co.

We could wish that the editor had written upon his title page "Astronomer and Soldier," instead of "Astronomer and General," for generals by brevet and otherwise are altogether too

common in this land of readily manufactured titles. That, however, is a mere matter of editorial detail, which does not in the least affect the admirable quality of the pages that follow. Professor Mitchel's fame belongs almost wholly to the formative period before the civil war. For many years prior to the outbreak of rebellion he was among the most prominent of American scientists. He was a very popular lecturer on astronomical subjects, and long presided over the first of the great observatories that were erected in the United States. One of the most picturesque and significant incidents in his early career is related by his brother: On a superb moonlight evening, when the family dwelt in the then almost unbroken wilderness on the banks of the Ohio, the elder son carried little Ormsby in his arms to a point whence the heavens could be clearly seen. After gazing in silence for some minutes at the clouds rushing across the sky, the little fellow turned to his brother and, looking in his face, said with infantile solemnity, "Mans can't make moons." The annals of biography hardly record a more original and touching incident in the child-life of the world's great men. It was Professor Mitchel's first lecture on astronomy, and, as in after years, he made an instant and lasting impression upon his audience.

Educated at West Point, Professor Mitchel, though he had been for many years in civil life, felt it his duty to offer his services to the government when the secession heresy developed its power. To his brief military career a considerable portion of the volume is devoted. The whole of it, however, is replete with interest, and it well deserves to take its place, apart from its war record, with the most entertaining and valuable of American biographies.

APPLETON'S CYCLOPÆDIA OF AMERICAN BIOGRAPHY. Edited by JAMES GRANT WILSON and JOHN FISKE. Vol. IV. Lodge—Pickens. 8vo, pp. 768. New York, 1888: D. Appleton & Co.

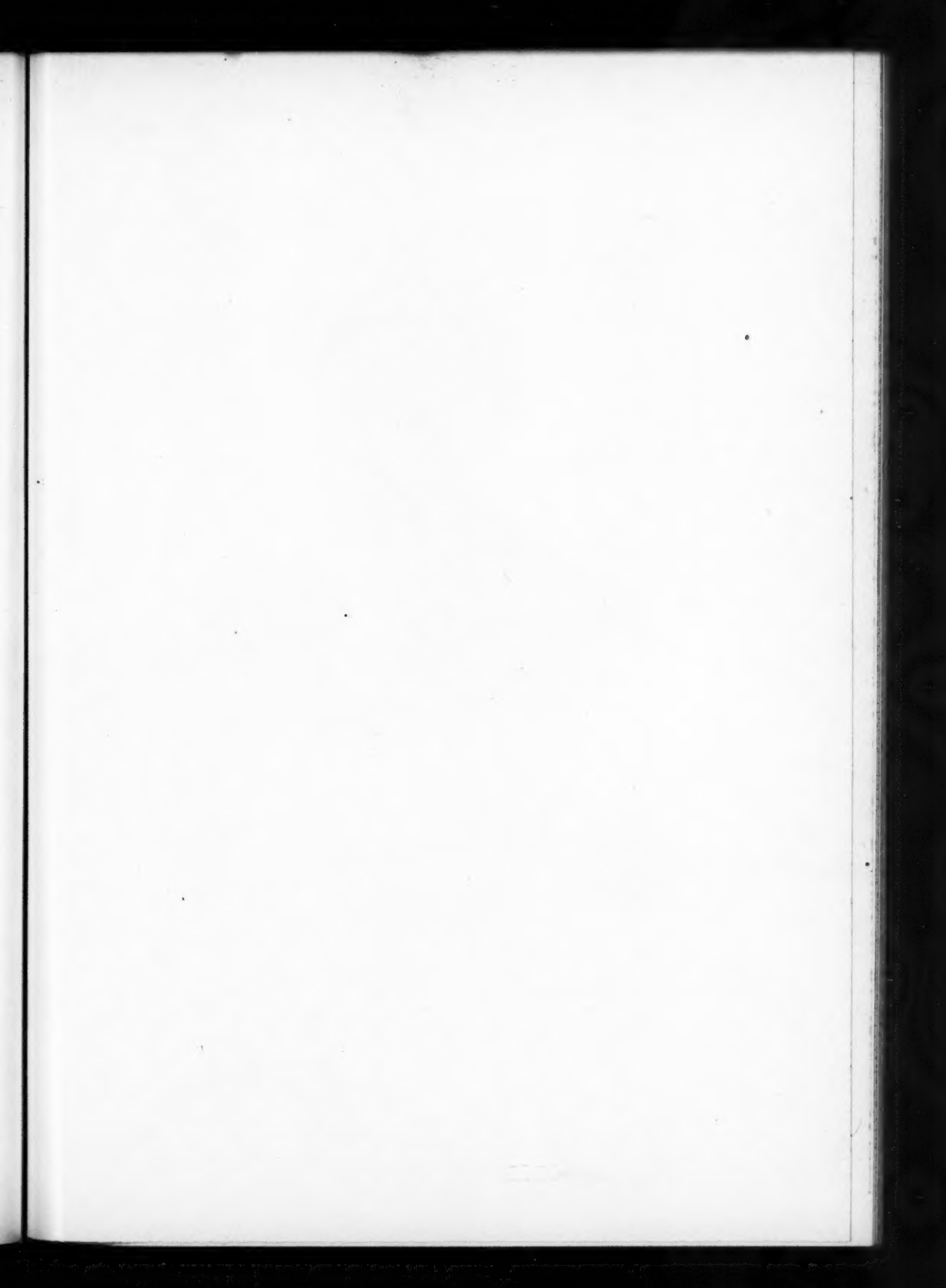
There is plenty of material for thought and study in the fourth volume of Appleton's biographical dictionary now before us. The frontispiece is a fine steel portrait of Henry W. Longfellow, and a half dozen or more of the earlier pages are devoted to an appreciative and admirably prepared biography of the poet, by Professor Charles Eliot Norton. Names of interest and importance are scattered plentifully through the work. Charles Dudley Warner writes instructively of James Russell Lowell; and Professor Francis Parkman gives some very welcome information about Montcalm, who, he says "was small of stature, with a vivacious countenance, and rapid, impetuous speech." One of the best steel portraits in the volume is that of Professor Samuel F. B. Morse, founder of the

American System of Electro-Magnetic telegraphs; and no biography is more valuable than that of John Lothrop Motley, the historian and diplomat, concisely written by Oliver Wendell Holmes. The father of Motley was a merchant, a man of wit and literary tastes, who inherited through his mother the blood of the two much respected Boston clergymen, Rev. John Lothrop and Rev. Samuel Checkley. Dr. Holmes pays a deserved tribute to Motley in the language of Dean Stanley, who said: "So long as the tale of the greatness of the house of Orange, of the siege of Leyden, of the tragedy of Barneveld, interests mankind, so long will Holland be indissolubly connected with the name of Motley in that union of the ancient culture of Europe with the aspirations of America." Two Presidents, James Madison and James Monroe, one Chief Justice, John Marshall, and one Emperor, Dom Pedro II., each have a full-page steel portrait—also George Peabody the philanthropist, George B. McClellan the soldier, and William Penn. Some of the smaller portraits are, however, quite as satisfactory, as for instance those of Rev. Eliphalet Nott, president of Union College, Andrew Oliver, lieutenant-governor of Massachusetts; Francis Parkman, the historian, and James Kirke Paulding, the author. The article on Chief Justice John Marshall, by Judge Bradley, is one of scholarly interest. He says, "To specify and characterize the great opinions that Marshall delivered would be to write a treatise on constitutional law. They must themselves stand as the monuments and proper records of his judicial history. It is reported by one of his descendants that he often said that if he was worthy of remembrance his best biography would be found in his decisions in the Supreme Court. Their most striking characteristics are crystal clearness of thought, irrefragable logic, and a wide and statesman-like view of all questions of public consequence. In these respects he has had no superior in this or any other country." The artist Malbone finds a biographer in Charles Henry Hart; the two commodores, Matthew Calbraith Perry and Oliver Hazard Perry, have an appreciative notice from Rev. William Elliot Griffis; and William Walter Phelps is handled gracefully by White-law Reid. An interesting sketch of Maximilian, Archduke of Austria and Emperor of Mexico, appears with his portrait, and that of the unfortunate Carlota. We recommend our readers to make themselves acquainted with the biographies we have mentioned, and many others of the first importance which we should mention if space permitted. The fourth volume of this great biographical work, take it all in all, is one of the very best of the series that has yet appeared. When finished it will be a necessity for every library, public and private, in the land.

HISTORY OF THE TOWN OF EXETER,
New Hampshire. By CHARLES H. BELL.
8vo, pp. 469. The Quarter Millennial Year.
1888. Exeter.

This work is a model of its kind. The value of a town history depends largely upon the classification which renders access easy to its contents. In recognition of this fact the author has introduced numerous sub-titles, arranged all considerable lists of names in alphabetical order, and given a full table of contents at the beginning, and an admirable index at the end. Manuscript records have been quoted freely, particularly family registers, with marriages, births, and deaths prior to the year 1800—also a list of all the publications of intentions of marriage in the town between 1783 and 1800. Before the foundation of Exeter there were but two organized settlements within the limits of New Hampshire, and there was no general government. In 1643 all the New Hampshire plantations came under the rule of Massachusetts.

It was not until 1680 that a new government of the province of New Hampshire went into operation. A governor and six counselors were then appointed by the crown. One of the counselors was an Exeter man, John Gilman. In 1775 Exeter contained seventeen hundred and forty-one inhabitants, and had become practically the capital of the state, and the centre of all civil and military activity in New Hampshire. In 1776 the people adopted a state constitution, which, however, was superseded by a more complete instrument about the close of the Revolution; Exeter was the seat of the state government. In 1788 a convention assembled in the court house at Exeter for the purpose of ratifying the Constitution of the United States. The proposed Constitution was to go into effect upon its ratification by nine of the thirteen states, and eight had already acted favorably upon it. Thus the interest of the country centred upon New Hampshire, which was the ninth, and had the honor of putting the new government into operation. John Taylor Gilman, subsequently governor of this state, the delegate from Exeter, was the most influential in bringing about this result. He was the fourth in descent from John Gilman, the counselor in 1680, one of the founders of Exeter. His brother, Nicholas Gilman, had been one of the framers of the Constitution in Philadelphia the year before. The book is of interest to every student of American history, aside from its special attractions for the descendants of the town who are scattered far and wide over the country. Literary skill, the historical sense combined with that of just proportion, and excellent taste, are notably apparent throughout the volume. It is one of the best town histories we have seen.





Mark Twain

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ROSCOE CONKLING

HIS HOME IN UTICA

WHEN the newspapers conveyed to the American public the tidings that Roscoe Conkling was confined to his house by painful illness, and a few days later it was flashed across the wires that his sickness was rapidly assuming serious proportions, never did the nation gather more anxiously around the bedside of a private citizen, or await with greater eagerness further information. Political differences, party animosities and animated criticism lost their bitterness, while profound sympathy for the sufferer and desire that he might live became universal. That the republic should watch with anxious solicitude those who administer its affairs and to whom it has committed vast responsibilities, is natural; but when one has laid down his public trusts, and found his way back to the comparative seclusion of private life, at this hour to become the subject of extended interest is phenomenal. Such, however, was the truth concerning the illness and the closing hours of the subject of this brief article.

Roscoe Conkling was born in Albany, October 30, 1829. He came of English ancestry. John Conkling, of Nottinghamshire, emigrated to this country and settled at Salem, Massachusetts; subsequently he removed to Long Island. Five generations later Benjamin Conkling became the father of Alfred, the father of Roscoe. Strong in mind, and passionately devoted to the profession of the law, Alfred Conkling rose to honor, and his affable manners gave him extended influence. He entered Union College in 1806; was graduated from the same in 1810, and in 1847 received from his alma mater the honorary title of LL.D. Soon after his admission to the bar he was appointed district-attorney of Montgomery County, New York; and by reason of his acknowledged abilities, was shortly afterward nominated and elected to represent this same district in the seventeenth Congress. At the close of his congressional term, President John Quincy Adams appointed him judge of the United States